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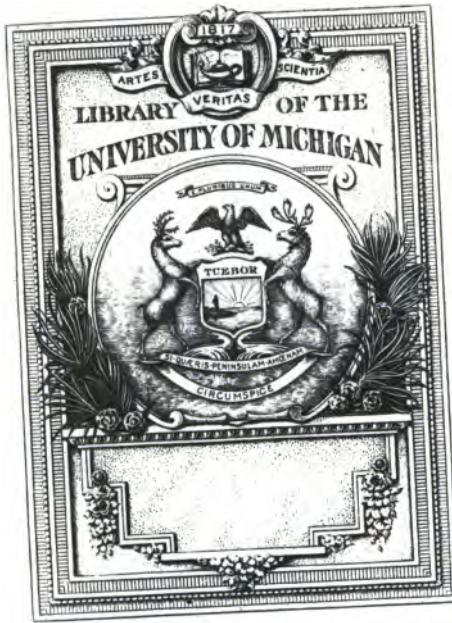
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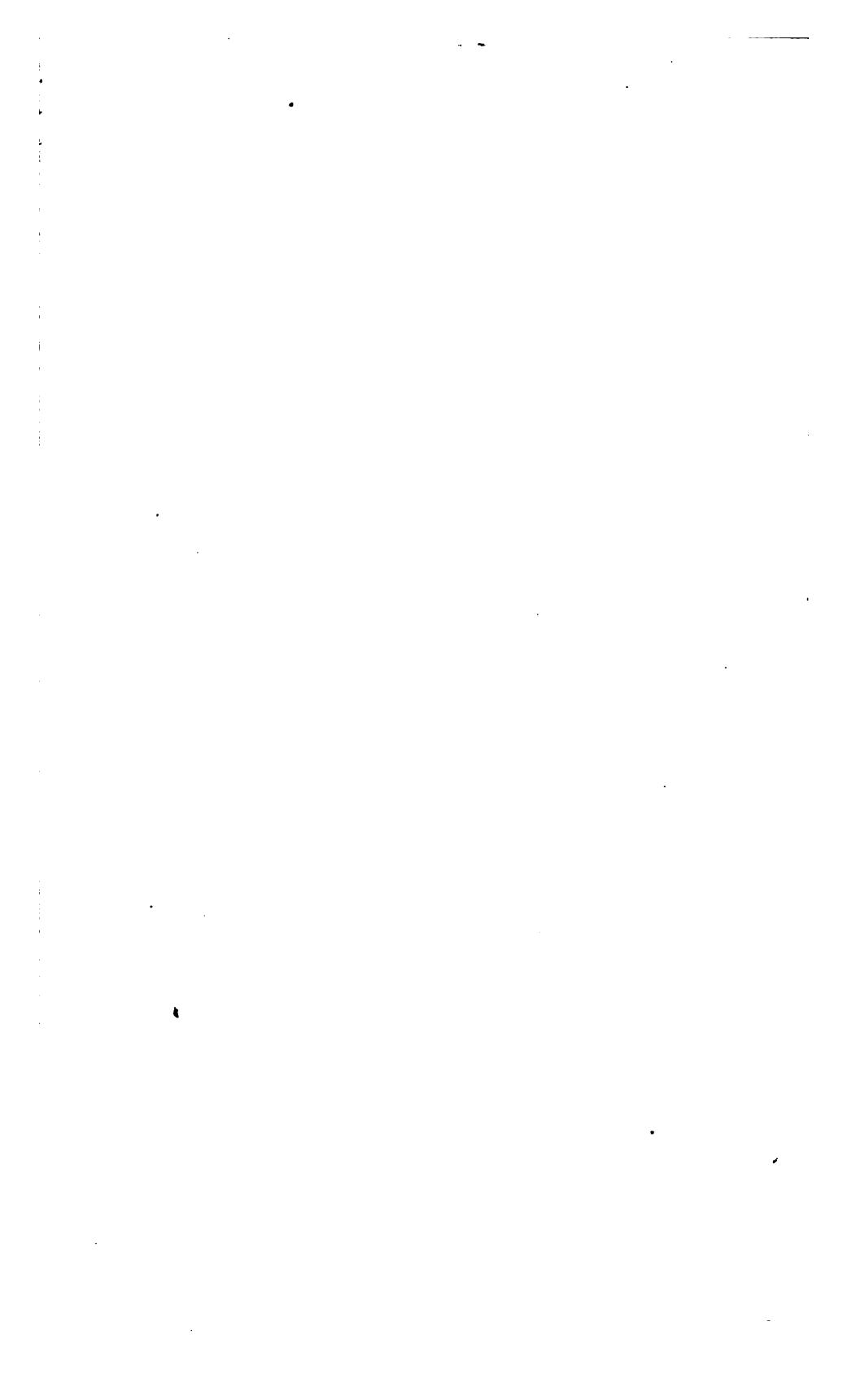
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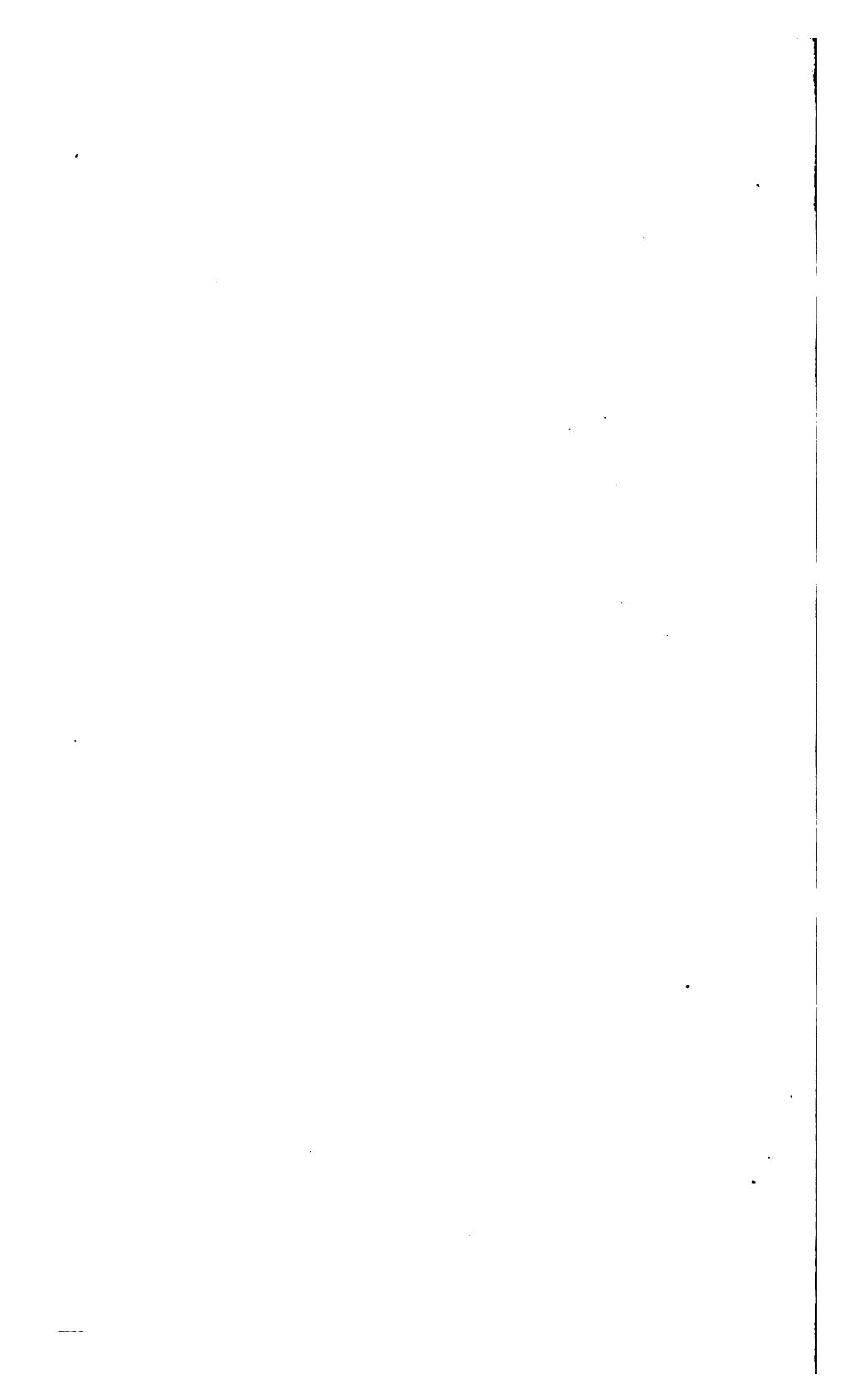
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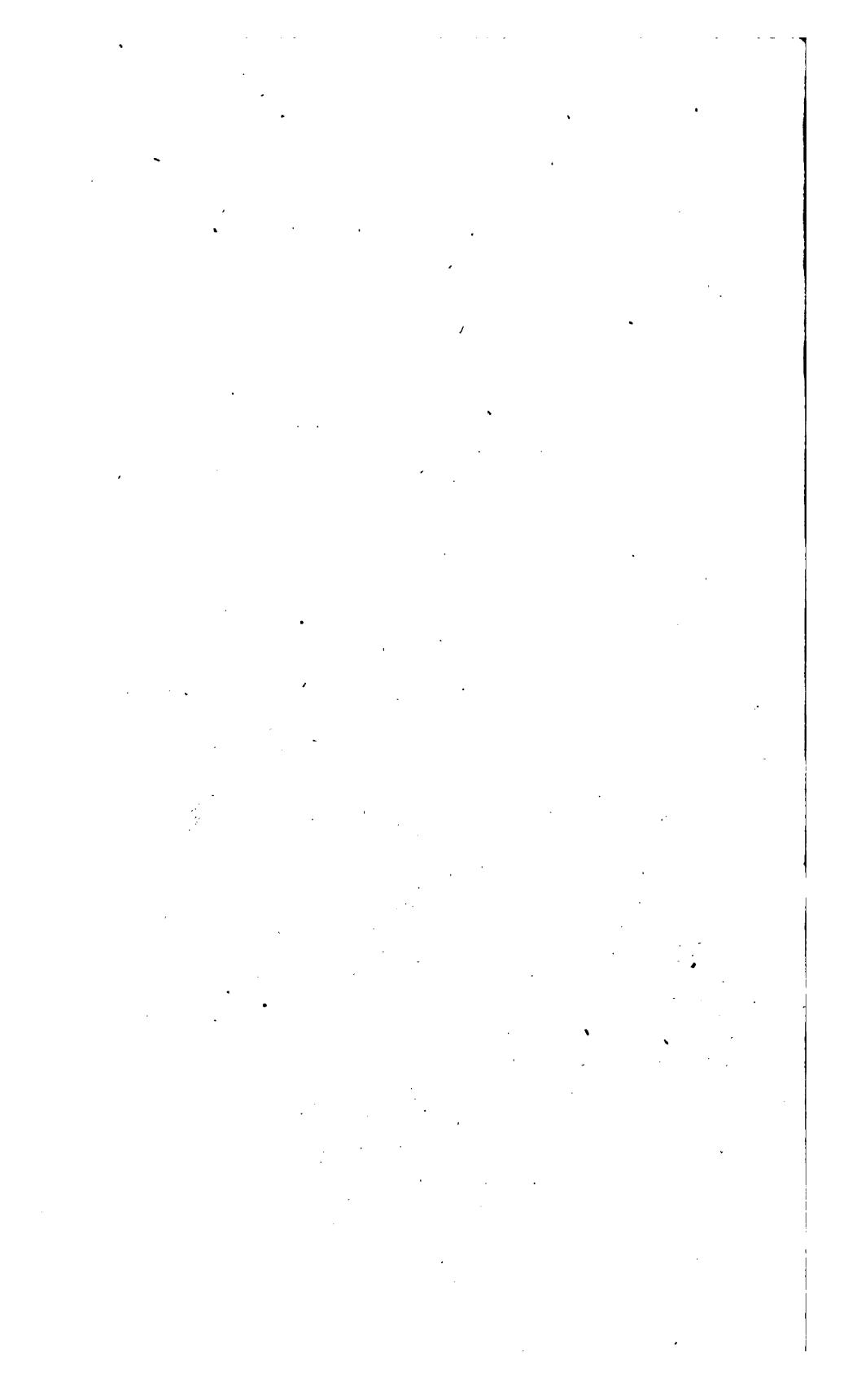
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JOURNAL

OF THE

HOUSE OF REPRESENTATIVES

OF THE

STATE OF MICHIGAN;

1838.

BY AUTHORITY.

DETROIT:

JOHN S. BAGG, STATE PRINTER.

1838.

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JOURNAL, &c.

Monday, January 1, 1838.

This being the day fixed by the twenty-first section and fourth article of the constitution of this state, for the meeting of the legislature, the members were called to order, and on motion of Mr. Adams, of Oakland, Alexander W. Buel was appointed speaker pro tem.

On motion of Mr. Samuel N. Gant, of Oakland, Anthony Ten Eyck was appointed clerk pro tempore.

On motion of Mr. McClelland, D. C. Jackson was appointed sergeant-at-arms pro tem.

The following members appeared, and after being duly qualified took their seats:

From the county of Wayne—Messrs. Levi Cook, Lowell Goodman, Joshua Howard, Alexander W. Buel, Jacob M. Howard, Theodore Williams, Lewis Beaufait, Charles Moran.

Monroe—Messrs. Henry Smith, William H. Montgomery, Robert McClelland.

Macomb—Messrs. Richard Butler, Orson Sheldon, Minot T. Lane.

St. Clair—Mr. Ralph Wadhams.

Oakland—Messrs. Isaac Adams, Samuel N. Gant, Jesse Decker, Daniel B. Wakefield, Isaac Wixom.

Calhoun—Mr. Andrew Dorsey.

Cass—Messrs. William Burke, James Odell.

Allegan—Mr. John R. Kellogg.

Kent—Mr. John Ball.

Washtenaw—Messrs. Eseck Pray, Samuel Doty, Anthony Poucher, Rufus B. Bement, Orange Risdon.

Livingston—Messrs. Flavius J. B. Crane, Kingsley S. Bingham.

Berrien—Mr. Elijah Lacey.

Branch—Mr. William A. Kent.

Kalamazoo—Messrs. Anthony Cooley, Stephen Vickery.

Lapeer—Mr. William P. Draper.

Jackson—Mr. Townsend E. Gidley.

Lenawee—Messrs. Jira Payne, Charles Spafford, Lawrence Hotchkiss, Jeremiah D. Thompson.

St. Joseph—Messrs. Columbia Lancaster, John H. Bowman.

Hillsdale—Mr. Elisha P. Champlin.

Chippewa—Mr. Henry A. Levake.

Michilimackinac—Mr. Jonathan P. King.

On motion of Mr. Bement, from Washtenaw, a special committee of five was appointed on privileges and elections; whereupon the Chair announced the following as said committee: Messrs. Bement, Ball, Cook, Spafford, Bingham.

On motion of Mr. King, from Michilimackinac, a select committee of two was appointed to wait upon the Senate and to inform them that a quorum of members had assembled, and were ready to proceed to business.

On motion of Mr. Bement, the certificate of the clerk of Oakland county of the election of members from that county, was laid upon the table.

A message was received from the Senate, through a committee, informing the House that a quorum of members were present and ready to proceed to business, and that they would meet the House in convention and canvass the votes for governor and lieutenant governor, at such time as they might appoint.

On motion of Mr. Bingham, from Livingston, a select committee of two was appointed to inform the Senate that the House was ready to meet the Senate in convention in their hall, and canvass the votes for governor and lieutenant governor, whereupon the Chair announced Messrs. Bingham and J. M. Howard as said committee.

Mr. Bingham, from the select committee appointed to wait

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upon the Senate, informed the House that the committee had performed the duty assigned to them, and received for answer that the Senate would immediately meet the House.

IN JOINT ASSEMBLY.

The honorable the Senate having been conducted to their seats, Mr. Kingsley, of the Senate, moved that so many of the returns of elections as had not been received by the President of the Senate, be supplied from the returns received at the Secretary of State's office, which was agreed to.

On motion of Mr. McDonell of the Senate, Messrs. Wing, of the Senate, and Gantt, of the House, were appointed tellers to count the votes for governor and lieutenant governor.

Mr. J. M. Howard, of the House, moved a reconsideration of the vote taken upon supplying the returns of election from the Secretary of State's office ; pending which motion,

On motion of Mr. Kercheval, of the Senate, the convention adjourned.

HOUSE OF REPRESENTATIVES.

On motion of Mr. Gidley, of Jackson, the House adjourned until ten o'clock, to-morrow morning.

Tuesday, January 2.

The House met pursuant to adjournment.

The roll having been called, the following members were absent: Messrs. Champlain, Cooley, Hotchkiss, Kellogg, Kent and Pray.

The proceedings of yesterday having been read,

Mr. Butler presented the credentials of Mr. Sheldon, who, after having subscribed to the oath of office, took his seat.

Mr. Gantt presented the credentials of Mr. Ephraim S. Williams, from Saginaw, who was permitted to take his seat.

Mr. J. M. Howard presented the credentials of election of Mr. J. R. Smith, from the district of Saginaw, Genesee and Shiawassee, who was permitted to take his seat and allowed to debate, but not allowed the privilege of voting.

Mr. Bingham announced]the presence of Mr. W. A. Buckbee from Washtenaw, who, after having taken the oath of office, took his seat.

On motion of Mr. Gidley, a committee of two was appointed to wait upon the Senate and inform them that the House had organized and would meet them in the hall of the House of Representatives, at any time they should appoint, to canvass the votes for governor and lieutenant governor, whereupon the Chair announced Messrs. Gidley and McClelland as said committee.

Mr. Gidley, from said committee, reported that they had performed the duty assigned them, and that the Senate would immediately meet the House in their hall.

On motion of Mr. McClelland, the rules of the last House were adopted as the rules to govern the proceedings of this House.

IN JOINT ASSEMBLY.

The Chair announced the question to be upon reconsidering the vote taken yesterday upon supplying the deficiency in the returns to the President of the Senate, of the votes for governor and lieutenant governor, from the Secretary of State's office; and on motion of Mr. Bingham, of the House, the question was decided in the negative, by yeas and nays, as follows:

Members of the House of Representatives.

YEAS.

Mr. Butler,	Mr. Goodman,	Mr. Odell,
Mr. Bowman,	Mr. J. M. Howard,	Mr. Spasford,
Mr. Champlain,	Mr. J. Howard,	Mr. Sheldon,
Mr. Cook,	Mr. Hotchkiss,	Mr. Thompson,
Mr. Cooley,	Mr. Kellogg,	Mr. Vickery,
Mr. Draper,	Mr. Lane,	Mr. Williams.

NAYS.

Mr. Adams,	Mr. Doty,	Mr. Moran,
Mr. Ball,	Mr. Decker,	Mr. Montgomery,
Mr. Burke,	Mr. Gidley,	Mr. Pray,
Mr. Bement,	Mr. Gantt,	Mr. Poucher,
Mr. Bingham,	Mr. Kent,	Mr. Risdon,
Mr. Buel,	Mr. King,	Mr. Smith,
Mr. Beaufait,	Mr. Lacey,	Mr. Wakefield,

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Mr. Buckbee,	Mr. Lancaster,	Mr. Wixom,
Mr. Crane,	Mr. Levake,	Mr. Wadham.
Mr. Dorsey,	Mr. McClelland,	

Members of the Senate.

YEAS.

Mr. Woodbridge,	19
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NAYS.

Mr. Barry,	Mr. Curtis,	Mr. McKey,
Mr. Bradford,	Mr. Kercheval,	Mr. Moore,
Mr. Clark,	Mr. Kingsley,	Mr. Summers,
Mr. Comstock,	Mr. McDonell,	Mr. Wing,
Mr. Cooper,		

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Mr. Wing, one of the tellers appointed to report the result of the election, reported that by the returns of the votes which have been directed to and received by the President of the Senate, it appears that for the office of governor, Stevens T. Mason has received eleven thousand two hundred and sixty-eight votes, and Charles C. Trowbridge, eleven thousand and thirty-one votes ; and for the office of lieutenant governor, Edward Mundy has received eleven thousand two hundred and twenty-six votes, and Daniel S. Bacon eleven thousand one hundred and four votes ; and by the returns of the votes directed to and received by the President of the Senate, as well as those transmitted to the Secretary of State, and not received by the President of the Senate, it appears that for the office of governor, Stevens T. Mason has received fifteen thousand three hundred and fourteen votes, and Charles C. Trowbridge fourteen thousand eight hundred votes ; and for the office of lieutenant governor, Edward Mundy has received fifteen thousand one hundred and seventy-eight votes, and Daniel S. Bacon fourteen thousand seven hundred and eighty-one votes.

Mr. McClelland, offered the following preamble and resolution, and moved its adoption :

Whereas, by the returns of the votes which have been directed to and received by the President of the Senate, it appears that for the office of governor, Stevens T. Mason has received eleven thousand two hundred and sixty-eight votes, and Charles C. Trowbridge eleven thousand and thirty-one votes ; and for the office of lieutenant governor, Edward Mundy has received eleven

thousand two hundred and twenty-six votes, and Daniel S. Bacon eleven thousand one hundred and four votes; and whereas, by the return of votes directed to and received by the President of the Senate, as well as those transmitted to the Secretary of State, it appears that for the office of governor, Stevens T. Mason has received fifteen thousand three hundred and fourteen votes, and Charles C. Trowbridge fourteen thousand and eight hundred votes; and for the office of lieutenant governor, Edward Mundy has received fifteen thousand one hundred and seventy-eight votes, and Daniel S. Bacon fourteen thousand seven hundred and eighty-one votes; therefore,

Resolved, That this convention declare Stevens T. Mason governor, and Edward Mundy lieutenant governor of the state of Michigan.

On motion of Mr. Clark, of the Senate, a division of the question was ordered.

The question on the adoption of the preamble was decided in the affirmative, and the question on the adoption of the resolution, was, on motion of Mr. Summers, of the Senate, decided by yeas and nays, in the affirmative, as follows:

Members of the House of Representatives.

YEAS.

Mr. Adams,	Mr. Draper,	Mr. Moran,
Mr. Burke,	Mr. Goodman,	Mr. Montgomery,
Mr. Bement,	Mr. Gidley,	Mr. Odell,
Mr. Bingham,	Mr. Gantt,	Mr. Pray,
Mr. Buel,	Mr. J. M. Howard,	Mr. Poucher,
Mr. Beaufait,	Mr. J. Howard,	Mr. Risdon,
Mr. Butler,	Mr. Hotchkiss,	Mr. Smith,
Mr. Bowman,	Mr. Kellogg,	Mr. Spafford,
Mr. Buckbee,	Mr. Kent,	Mr. Sheldon,
Mr. Champlain,	Mr. King,	Mr. Thompson,
Mr. Cook,	Mr. Lacy,	Mr. Vickery,
Mr. Cooley,	Mr. Lane,	Mr. Wakefield,
Mr. Crane,	Mr. Lancaster,	Mr. Wixom,
Mr. Dorsey,	Mr. Levake,	Mr. Williams,
Mr. Doty,	Mr. McClelland,	Mr. Wadham.
Mr. Decker,		

NAYS.

Jan. 3.] HOUSE OF REPRESENTATIVES.

Members of the Senate.

YEAS.

Mr. Barry,	Mr. Cooper,	Mr. McKey,
Mr. Bradford,	Mr. Curtis,	Mr. Moore,
Mr. Clark,	Mr. Kercheval,	Mr. Summers,
Mr. Comstock,	Mr. Kingsley,	Mr. Wing,
Mr. Cook,	Mr. McDonell,	Mr. Woodbridge, 64

NAYS.

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On motion of Mr. Kercheval, of the Senate, a committee of two, one from each house, was appointed to wait upon the Governor and Lieutenant Governor elect, and inform them of the result of the canvass; Messrs. Kercheval and Moran were appointed said committee.

The committee returned with the honorable the Governor and Lieutenant Governor.

The oath of office was then administered to Stevens T. Mason as governor and Edward Mundy as lieutenant governor of this state, by the honorable the Chief Justice of the state, and thereupon, on motion of Mr. McDonell, of the Senate, the convention adjourned *sine die*.

HOUSE OF REPRESENTATIVES.

Mr. Adams moved that the House do now proceed to the election of its officers.

Mr. Smith moved that the House adjourn until to-morrow morning, at ten o'clock, which last motion was decided in the affirmative.

Wednesday, January 3.

The House met pursuant to adjournment.

The roll having been called, the following members were absent: Messrs. Bush, Bingham, Beaufait, Lacey and Pray.

The proceedings of yesterday having been read,

Mr. Smith, from Monroe, announced the presence of his colleague, Mr. Tunis Charter, together with his credentials, who, after having subscribed to the oath of office, took his seat.

On motion of Mr. Adams, the House proceeded to the election of speaker,

When Mr. Kingsley S. Bingham, of Livingston, received twenty-seven votes, and Levi Cook, of Wayne, received eighteen votes, and Jacob M. Howard, of Wayne, received one vote; whereupon, the Chair announced that Kingsley S. Bingham was duly elected speaker of the House.

The Chair announced Messrs. Adams and Cook as a committee to conduct the Speaker to the chair.

On motion of Mr. McClelland, the House proceeded to the election of clerk, when Jed P. C. Emmons received twenty-eight votes, and Henry D. Terry received twenty votes.

The Chair announced Jed P. C. Emmons, duly elected clerk.

On motion of Mr. McClelland, the House proceeded to the election of a recording clerk, when Albert Chandler received twenty-eight votes, and James B. Watson received twenty votes.

The Chair announced Albert Chandler duly elected recording clerk.

On motion of Mr. McClelland, the House proceeded to the election of enrolling and engrossing clerk, when Charles Theodore Potts received twenty-seven votes, and Samuel D. Woodworth received twenty votes.

The Chair announced Charles Theodore Potts duly elected enrolling and engrossing clerk.

On motion of Mr. Ganit, the House proceeded to the election of sergeant-at-arms, when Nelson Wilcox received twenty-eight votes, and Nathan L. Stout received twenty votes.

The Chair announced Nelson Wilcox, duly elected sergeant-at-arms.

On motion of Mr. Smith, the House proceeded to the election of doorkeeper, when James McCloskey received twenty-seven votes, and Richard J. Conner received twenty votes.

The Chair announced James McCloskey duly elected doorkeeper.

Mr. Bement offered the following resolution:

Resolved, That the several clergymen of this city, in regular standing, be requested to officiate alternately, as chaplains of this House, during the present session.

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On motion of Mr. Smith, the resolution was amended by striking out the word "requested" and inserting the word "invited," and the resolution as amended was, on motion of Mr. Buel, adopted, by yeas and nays, as follows:

YEAS.

Mr. Adams,	Mr. Decker,	Mr. Moran,
Mr. Bement,	Mr. Draper,	Mr. Montgomery,
Mr. Buel,	Mr. Goodman,	Mr. Pray,
Mr. Beaufait,	Mr. Gidley,	Mr. Poucher,
Mr. Bowman,	Mr. Gant,	Mr. Risdon,
Mr. Buckbee,	Mr. J. M. Howard,	Mr. Smith,
Mr. Champlin,	Mr. J. Howard,	Mr. Spafford,
Mr. Cook,	Mr. Hotchkiss,	Mr. Sheldon,
Mr. Cooley,	Mr. Kellogg,	Mr. Thompson,
Mr. Crane,	Mr. King,	Mr. Wakefield,
Mr. Charter,	Mr. Lane,	Mr. Wixom,
Mr. Dorsey,	Mr. Lancaster,	Mr. Williams,
Mr. Doty,	Mr. McClelland,	Mr. Wadham, 39

NAYS.

Mr. Ball,	Mr. Butler,	Mr. Levake,
Mr. Burke,	Mr. Kent,	Mr. Odell,
Mr. Bingham,	Mr. Lacy,	Mr. Vickery, 9

On motion of Mr. Bement, a committee of three was appointed to wait upon the several clergymen and inform them of the adoption of the above resolution; whereupon, the Chair announced the following as said committee: Messrs. Bement, Cook and Moran.

On motion of Mr. McClelland,

Resolved, That the clerk be directed to have printed one hundred copies of a manual, embracing the constitution of the state, the rules of the House, and the Senate, the joint rules of both houses, and the other subjects embraced in the manual of the last legislature.

On motion of Mr. McClelland,

Resolved, That the clerk of the House furnish, at the expense of the state, to each member of the House of Representatives, such newspapers as they shall respectively direct, not exceeding in value one daily paper.

The Chair announced a message from the Senate in the words following:

Mr. SPEAKER—In pursuance of the rules of the Senate, I here-with transmit a resolution which has passed the Senate, relative to the contingent expenses of the two houses of the legislature, in which the concurrence of the House of Representatives is respectfully requested.

On motion of Mr. McClelland, the sixteenth joint rule was suspended, and the above resolution was adopted.

On motion of Mr. Buel, a committee of two was appointed to wait upon the Governor and inform him that the House was ready to receive any communication he might make.

The Chair announced Messrs. Buel and Butler as said committee.

Mr. Buel, from said committee, reported they had performed the duty assigned to them, and received for answer, that the Governor would communicate to the House to-morrow, at eleven o'clock, A. M.

The Chair announced Messrs. Levake and Kellogg as a committee on the part of the House, on contingent expenses, in conformity with a resolution adopted by both houses.

On motion of Mr. J. M. Howard, the certificates of election of Mr. Ephraim S. Williams and Mr. Jeremiah R. Smith, heretofore laid upon the table, were taken up, considered as in committee of the whole, and on motion of Mr. Wixom, were referred to the committee on privileges and elections.

On motion of Mr. Cook, the Speaker was excused from acting on the committee on privileges and elections, and Mr. Buel was elected in his place.

On motion of Mr. McClelland, the Speaker was authorized to employ a messenger and such assistant messengers as might be necessary.

On motion of Mr. McClelland, the House adjourned until ten o'clock, to-morrow morning.

Thursday, January 4.

The House met pursuant to adjournment.

The roll called, and prayer by the Rt. Rev. Bishop McCosky, the journal of yesterday was read.

Mr. J. M. Howard moved a reconsideration of the vote taken yesterday, upon the adoption of a resolution relative to furnishing members of the House with newspapers, which was decided in the affirmative.

The question recurring on the adoption of the resolution, Mr. J. M. Howard moved to amend by striking out "one," and inserting "two."

Mr. Cook moved to amend the amendment by adding the words "a copy of the journal of the last legislature."

Mr. Smith moved further to amend the amendment by adding the words "also a copy of the journal of the last legislature," the mover accepted the amendment, and the resolution as amended was adopted.

Mr. Butler presented the credentials of Mr. Mason J. James, from Oakland, which having been read, were on his motion referred to the committee on privileges and elections.

On motion of Mr. Cook,

Resolved, That Mason J. James, from the county of Oakland, be admitted to a seat in this House, with the privilege of debating, without the privilege of voting.

The annual message, together with the accompanying documents was received from the Executive, through C. C. Jackson, Esq., his private secretary.

MESSAGE.

*Fellow citizens of the Senate
and of the House of Representatives :*

On your assembling to perform the important duties committed to you by the people of Michigan, I am called on in obedience to an injunction of the constitution, to submit to you the condition of the affairs of the state. In obeying this mandate, I avail myself of the opportunity, to congratulate you on the general enviable condition in which we find our beloved country. Whilst it becomes us to reflect on the calamities, which, arising from the pecuniary embarrassments of the commercial world, have visited many of our fellow citizens, and to sympathize with their sufferings, we have yet abundant reasons to return our acknowledgments to the Supreme Ruler of nations for a liberal participation in the ordinary blessings of his providence.

Another year has rolled around. We find our country at peace with all the powers of the earth, and free from domestic violence; her fame extending, and her high character acknowledged and respected throughout the habitable globe. At home, the blessings of health have never been more universal; the labor of the husbandman has never been crowned with more abundant harvests; the interior view of the state presents the most striking proofs of substantial and increasing prosperity; and our vacant territory is rapidly becoming the abode of an enterprising and industrious population, characterized by an independent and daring spirit, educated in a love of order, habituated to self-government, and valuing its privileges above all price. All these pleasing circumstances are subjects of congratulation, and demand from us our gratitude, as they mark the goodness of that Being from whose favor and bounty they flow.

It is to be hoped that the crisis in the pecuniary embarrassments of the country has now passed, and that the return of the approaching season of business will restore to us our usual state of activity and prosperity. However much we may lament the individual suffering we have witnessed, we can yet, if we choose, draw salutary lessons from the past. That an unnatural and forced condition of trade has existed in the United States for several years past, none can deny. Over-banking, over-trading, and neglect of productive labor, are the prolific sources from which have flowed all the evils we have experienced. But a gradual extinguishment of our debt to Europe, the reduction of an over-extended trade, the curtailment of excessive credits, the gradual suppression of unlimited issues of bank paper, together with abundant harvests, and an increased attention to productive labor, all promise, and must insure a return to more prosperous times, and give health and vigor to the present prostrate finances of the nation. The part which is mutually attributed to the general government and its agents, the deposite banks, in bringing about the present state of things, I consider it unnecessary here to discuss. Whilst my opinions on the great questions of public policy which now divide the nation, shall never be withheld at the proper time and place, I am unwilling to thrust them before the legislature of the state, where they could only have a ten-

deney to excite feelings and discussions, calculated to thwart the business of your session, and impede the progress of the local interests committed to your charge.

And if, fellow citizens, the political excitement produced by the present condition of the country, has stimulated the public mind to a degree of fervor beyond all former example, this very excitement has furnished the most undeniable proof of the fitness of the American people for the rights of self-government. Whilst the countries of Europe under a similarly excited state, would have exhibited instances of popular violence, and perhaps bloodshed, no such calamities have marked the scene of our recent troubles. Although our government may have been shaken to its centre, the passions of political strife have beat against it in vain—showing no weather side to the storm, it stands erect, preserving social order, and maintaining the supremacy of the laws.

But although we may have nothing to fear for our government from external dangers, or open domestic violence, there is yet an insidious and secret foe the American people should guard against ; it is that imperceptible but all absorbing desire lurking in the heart of man, to aggrandize self and promote private ends ; which is too apt to forget country, and which, if indulged and encouraged, must prove the undoubted cause of a premature national degeneracy. The history of other nations is before us, and let us profit by their fate. It has been well said, that it is not in a government of splendor and extended powers, that the American people are to seek and find happiness ; but in a government of simplicity, of just and mild laws, and of defined and prescribed authority. With this conviction before us, we should keep constantly in view the great principles upon which our government was founded, guarding against the disunion of the states, but resisting firmly an equal if not greater evil, the consolidation of the government in the federal head, by the exercise of powers by Congress, not clearly and positively delegated by the constitution. We want a government that will confer continued freedom and lasting happiness upon the great body of the people. No temporary benefit, or present pecuniary interest, should seduce us to justify the slightest violation of the constitution, by sanctioning acts of the government not clearly and specifically

authorized. If the doctrine of implication be once yielded, the limits to our federal constitution are gone ; that instrument will then mean any thing or nothing, at the will of those who may be called on to construe and define its powers. One violation will justify another ; precedent will establish precedent, until ultimately precedent becomes the law of the land.

The officer at the head of your financial department will submit to you a detailed exposition of the condition of the finances of the state. The receipts into the treasury, for the year ending the thirtieth of November, from taxation, amounted to forty-eight thousand nine hundred and sixty-nine dollars, eighty-seven cents. The expenditures, during the same period, for the ordinary purposes of the government, exhibit a balance against the treasury of thirteen thousand three hundred and fifty-three dollars, sixty-eight cents. This condition of the treasury, although greatly to be regretted, has been brought about by circumstances unavoidable, and beyond the control of the Executive. But this deficiency in the revenue may, in some measure, be accounted for, from the fact, that the delay or neglect of county officers in their payments into the treasury, exhibits, on the first day of December, a balance due the state, from different counties, of not less than eighteen thousand dollars. If this delay arises from a defect in the law, it becomes the legislature to remedy it ; for, unless the correction is made, some portions of the state will contribute to the support of the government, while others are exempt from this burthen. The expenditures also embrace the interest on the state loan, which must hereafter be specifically provided for ; and have been otherwise greatly increased by repeatedly protracted, but unavoidable, sessions of the legislature. It cannot be expected, that a like charge will again fall upon the treasury, so that the existing provisions for the assessment of a revenue, together with a temporary arrangement with the fiscal agent of the state, it is hoped will enable the treasury to meet the current expenditures of the government for the present year.

But, fellow citizens, whilst to others is assigned the duty of collecting the public revenue, its safe keeping and its appropriation to the public wants, is confided to us. It behooves us, then, to exercise the most rigid economy in our expenditures. If any

deficiency in the revenue has arisen from a wanton expenditure of the public money during the past year, we have the opportunity, and it is our duty, to make up that deficiency by the economy of our present term. Recollect, however, that whilst economy is the marked and striking virtue of a republic, it is as distinguishable from parsimony as profusion. Neither is it by profession or declamation, that we are to satisfy the people. A denunciation of salaries and salaried officers, that last resort of little minds, cannot alone give us favor with an enlightened public. The people are willing to award to public services a just compensation but require that our deliberations here, shall not be unnecessarily protracted. They demand from us prompt attention to their affairs, short sessions and economical expenditures; for we are not to forget, that it is the legislative department of the government, of all others, that necessarily draws most heavily upon our treasury.

It is with peculiar satisfaction, that I refer to the progress of our works of internal improvement. The board of public works will submit to you a detailed report of their labors, and a statement of the amount and character of their expenditures. The whole sum as yet placed to the credit of the internal improvement fund, amounts to four hundred and thirty-eight thousand, five hundred and fifty-one dollars, forty-nine cents. The expenditures, as stated on the first day of December last, were three hundred and twenty-two thousand, three hundred and twenty-one dollars, forty-two cents, leaving a balance to the credit of the fund, on that day, of one hundred and sixteen thousand, two hundred and thirty dollars, seven cents. In the amount of expenditures, is embraced the complete survey of the northern, southern and central railroads, the survey of the Havre branch road, the reconnoisance of the St. Joseph, Grand and Kalamazoo rivers, the survey of the Clinton, Saginaw and Sault de St. Marie canals, the construction of the road, purchase of materials and machinery on the route from Detroit to Ypsilanti, and the sum of one hundred and thirty-nine thousand eight hundred and two dollars, seventy-nine cents, paid on account of the Detroit and St. Joseph railroad company.

The routes of these different railroads have been located under

the direction of the board of internal improvement, but how advantageously to the state, it is left for the legislature to determine. That dissatisfaction will exist, arising from conflicting local interests, is to be expected ; but should no different direction be given by the legislature, these works will be placed under contract with as little delay as practicable. These roads, when completed, will open a market for the rich and abundant resources of the interior of the state, and will form an important part of the great chain of internal improvements which is to connect the Atlantic seaboard with the valley of the Mississippi. The reports of the engineers engaged in the survey of the three northern canals, state the contemplated works to be practicable, and from their important bearing upon the permanent prosperity of the country, I recommend them to the favorable consideration of the legislature. The canal around the falls of the St. Marie river, it is ascertained, can be constructed for a sum not exceeding one hundred and fourteen thousand dollars. And as it is desirable to open, at an early day, through this communication, an outlet for the extensive and abundant resources of the country on the shores of Lake Superior, I would respectfully suggest such an appropriation as will authorize the completion of the work during the present year. The contemplated improvements in the navigation of the St. Joseph, Grand and Kalamazoo rivers, are also entitled to your attention. But I would refer you to the report of the board of internal improvements, which will be submitted to you without delay, for all the information you may desire on this important branch of our state policy.

Under the act of the legislature authorizing a loan of five millions of dollars for purposes of internal improvements, I have made such arrangements as will enable the state readily to command any portion of the amount to be loaned, as our wants may require it. Five hundred thousand dollars of stock, has been sold in the American market, at a premium of six per cent ; the remainder has been thrown into the European market, under such an agreement as will insure its successful negotiation at any period that may be directed. Should a necessity exist for any additional funds before remittances may be received from Europe, I have entered into an arrangement in the city of New-York, by

which the amount needed will be advanced on the loan. I have no idea, however, that this necessity will arise.

The great importance of a system of internal improvements to the eventual and permanent prosperity of the state, cannot be questioned ; nor should the claims of any section of the country to a participation in its advantages, be denied, when the works contemplated, offer the proper inducements for their construction. I have repeatedly urged my desire to see the state progress in the liberal and extended system she has founded ; but I must express my doubts of the policy of encumbering our finances with any additional improvements to those already directed. The great avenues and communications of trade through the state, are now in the progress of completion by the public ; and I submit the propriety of leaving, for the present at least, those of minor importance, to the exertions of individual enterprise. The loan already authorized for internal improvements, amounts to the sum of five millions of dollars, and it may be questioned, whether with the most rigid economy, that sum will be equal to the construction of works now undertaken. As the means of the state increase, and her resources are developed, we may turn our attention to a more extended system, if demanded by the people. For some time to come, our public works will prove but a limited source of revenue to the state ; and as we are already borrowing money without providing available funds to meet the interest or principal on our loan, as it becomes due, I would most earnestly call your attention to that subject. It will never answer to think of relying upon direct taxation, for means to meet these obligations ; and it is submitted to your consideration, whether the best interests of your constituents, do not demand the creation of a sinking fund out of the receipts derived from roads and canals, as they may arise, and from such other sources as may be under the control of the state, for the payment of the interest on our debt, and the ultimate redemption of the principal.

In the acceptance of the propositions from the Government of the United States, contained in the act supplementary to the act providing for the admission of Michigan into the Union, the legislature submitted to Congress, for their consideration, the proposition, "that five hundred thousand acres of unappropriated

public lands be granted to the state for purposes of internal improvements within the peninsular counties; and "that there be granted for the construction of a road from the mouth of the Antonagon river of Lake Superior, to some point on Green Bay, one section of land for each mile." Also, "that all roads commenced by the United States within the state, and remaining unfinished, should be completed by them. This proposition is too reasonable in its character to need enforcing by any system of argument. The neighboring states of Ohio, Indiana and Illinois, have received repeated donations in land from Congress for roads and canals, and no reasonable objection can exist, why the same liberality should not be extended to Michigan. If we have heretofore petitioned Congress in vain, it is trusted that a sense of justice will render our present demand successful. No western state has for years contributed more than Michigan to the revenue of the United States, and she now only asks even handed justice. I would therefore suggest, that our senators and representative be instructed to urge upon Congress the acceptance of this proposition.

The character of industry upon which the real prosperity of the state is most dependant, is the cultivation of the soil. Most nations have considered it their policy to encourage some particular branch of industry, as the one from which they could derive the most abundant resources of wealth. But whilst the true policy of a free government is to extend equal protection to every department of trade, we are too apt to overlook the interest of the agriculturist. Michigan, it is true, may and will exhibit an important field for successful domestic manufactures, but the cultivation of her soil must at all times be regarded as the great source of her prosperity. It furnishes, not only the means of human subsistence, but supplies materials for manufactures, as well as the chief resources of commerce. Whatever encouragement, therefore, we secure for the agricultural interest, extends a benefit to every other department of industry. Agriculture being, then, a primary and most important branch of state economy, it is the duty of the legislature, not only to protect its members from disproportionate burdens, but to facilitate to them the advantages derived from the researches of science, and the disco-

veries and improvements of the age. With this object in view, I would recommend the creation of a board or society, whose duty it would be to foster and encourage this great source of national prosperity and independence, to gather desirable information, and at the public expense, distribute it to the farmers of the state. Such a measure, I have no doubt, would in a short time be productive of important public consequences.

From the report of the Superintendent of Public Instruction, you will receive all the necessary information connected with our schools and universities. The amount of moneys received and paid into the school and university fund from the sales of public lands, he will submit to you; he will also present the general condition of the common schools which are under his immediate direction, and will at the same time suggest to your consideration such amendments to our existing school laws as may to him appear expedient and desirable. I would however recommend, by the appointment of an assistant, the separation of the financial department from the ordinary duties of the office of the Superintendent, so as to relieve that officer from duties at present too onerous, and in themselves inconsistent with each other. The Regents of the University have been assiduous in their attention to the important trust confided to their care, and have done towards promoting the success of the institution all that their present limited means would permit. They have directed the immediate organization of four branches of the university, as preparatory departments for the main institution, at such points as seemed to them most conducive to the public good, and to the success of the branches themselves. These branches have been placed under the most salutary rules of government, a uniform and approved course of study has been adopted, and the principal of each institution, is required to possess that high character calculated to reflect honor upon the cause of education and the state. The branch at Pontiac is now in successful operation; those established at Detroit, Monroe and Kalamazoo, will be opened at an early day. The Regents have found it impossible to do much towards opening the main institution for the reception of students, the university fund being as yet unavailable. They have consequently, thus far, confined their exertions to the

location of the institution, and to preparatory arrangements for the appointment of professors, the purchase of a cabinet of minerals, library and philosophical apparatus. It is their desire, however, to open the university proper, at Ann Arbor, for the reception of students, on the first Monday of September, of the present year.

I have so often referred to the subject of education in my former communications to the legislature, that, important as the subject is, I feel indisposed to dwell upon it at any great length here, sensible that your feelings and interests are alive to its success, and that your most unremitting exertions will be directed to its advancement throughout the state. Every free government is called on by a principle of self-preservation, to afford every facility for the education of its people. The liberty of a people cannot be forced beyond their intelligence; the two go hand in hand. The South American Republics exhibit but alternate scenes of anarchy and despotism; and France in the day of her bloody struggle for freedom, was overwhelmed and plunged in misery by the very attempt to make her free. In the United States we witness the advantages of education, in the virtue, intelligence and liberty of the people. History points out the ignorance and degradation of other countries, and we are admonished of the duties before us. If our own country is ever to fall from her high position before the world, the cause will be found in the ignorance of the people; if she is to remain where she now stands, with her glory undimmed, educate every child in the land.

It is now satisfactorily ascertained, that our common school fund will be abundant for all the purposes of our extended system of education. The university fund will also be amply sufficient for all the purposes of the university proper. But in proportion to the munificence of the means, should the standard of education be elevated. The branches of the university, as intermediate institutions between the common schools, and the parent institution, should be placed on the most respectable footing. Whilst the fund will be sufficiently great for the support of the university on the broad scale intended by the legislature, if applied to that object alone, it may fall short of that purpose when diverted

to the numerous branches which seem to be demanded by the public. I would therefore suggest that such portions of the seventy-two sections of public land attached to our salt springs, as may not be needed in the manufacture of salt, be set apart by the legislature, as an exclusive fund for the support of the branches of the university. It may be questioned whether these lands can be sold under the conditions of the grant from the United States, but as "they are to be used upon such terms, conditions and regulations as the legislature may direct," it is clearly competent for you to set apart the revenue derived from their use, by lease or otherwise, as a specific fund for any object worthy of public consideration. The lands attached to the state salines, as far as selected, are of the first description of farming lands, and if appropriated in the manner suggested, would give for the support of the branches a fund nearly equal to that belonging to the university proper.

The pecuniary embarrassments which have existed for some time with all portions of the Union, make it my primary duty to communicate to you my opinions on our present system of banking. The introduction of capital into the state is certainly to be desired, as through its means every department of industry is stimulated to increased energy; but we must be careful not to mistake a false and fictitious credit for actual capital. Whilst the existence of the one is a sure guarantee of a country advancing in substantial and real prosperity by the natural laws of trade; the other is the unerring indication of the elements of trade perverted from their true direction, of unreal wealth based upon the false creation of bank expedients, and approaching revulsions, bankruptcy and ruin. The multiplication of banks and bank issues does not produce real capital. The productive labor of the country is the true foundation of all the capital, and banks are the consequence, rather than the cause of a nation's wealth. Gold and silver is the only medium of exchange recognized by the commercial world; bank paper was originally designed as a representative for this metallic medium, but not as a substitute for it. The attempt to substitute paper, by excessive bank issues, for real capital, disturbs the natural laws of trade, and is always attended with fluctuations and revulsions. The quantity

of the circulating medium of any country cannot be increased beyond the natural quantity allotted by the laws of trade, without depreciating in value. Our bank paper is made to represent gold and silver, and should always be convertible into that medium at the will of the holder. Care must be exercised, then, not to let this paper representative become too disproportional to the metallic basis allotted us by the laws of trade; if increased beyond this guarded limit, it loses its general standard of value, depreciates and becomes worthless in the hands of the people.

The system of banking, at present authorized in Michigan, exists in the provisions of a general law, offering to all persons the privileges of banking under certain guards and restrictions. The principles under which this law is based, are certainly correct, destroying as they do, the odious features of a bank monopoly, and giving equal rights to all classes of the community. But in the practical operations of the system, there is much evil to apprehend. As long as a desire of gain exists in the heart of man, attempts will be made to avoid the requisitions of any general law on banking. Our system, then, should be strongly guarded, its provisions rigidly enforced, the operations of the banks vigilantly watched, or the whole state will be irretrievably plunged into the vortex of over banking, with all its attending pernicious consequences. Although, it is but justice to say, that the institutions under the general law, from their returns as far as received, exhibit as sound a condition as any of the chartered banks of the state, it must yet be admitted, that they have multiplied beyond the utmost expectation of the public. It is not, then, from the system itself, if properly reformed, but in its abuses, that we have most to fear. The dangers to be apprehended from the abuses of the system, are over issues of bank paper, a dangerous extension of credit, fluctuations in our currency, and consequently fluctuations in the prices of property and the wages of labor. It becomes your duty then to guard against these evils. Your object should not be the destruction of the system, but an efficient regulation of it, and its restriction to proper limits. With this object I would refer you to the suggestions contained in the report of the Bank Commissioner accompanying this communication.

I may here suggest, that it is important for the legislature to

examine into the general condition of all the banks of the state, with a view to the resumption of specie payments at the earliest possible period. From the report of the Bank Commissioner it will be perceived, that the thirteen chartered banks of the state, upon whom will depend the resumption of specie payments, had in circulation on the first day of December last \$1,551,800. Their specie on hand at the same period, amounted to \$350,348 16; their total liabilities were \$3,121,689 53; and their loans and discounts \$3,512,370 53. It will be seen from this statement, when compared with the report of the Commissioner in June 1837, that these banks have, within the period from June to December, increased their circulation one hundred and eighty-three thousand dollars, curtailed their loans and discounts about seventy-six thousand, and lessened their general liabilities about three hundred and ninety thousand dollars. By the act of June 22d, 1837, the banks had extended to them the privilege of an exemption from specie payments until the 16th day of May next. Under no circumstances should the provisions of this act be extended beyond that period. It is demanded of the banks, and it is due to the character of the country that specie payments should be at once resumed. The banks have had ample time to prepare for such a measure.

By reference to the Commissioner's report, it will also be seen that some of our banks, although continuing to refuse specie on their notes when presented for payment, have declined accepting the terms of the suspension act, and have thus set the legislation of the state at defiance. It is left for the legislature to adopt such measures in the premises, as their wisdom may suggest. The conduct of these institutions has satisfied me, however, that the act allowing banks thirty and sixty days for the redemption of their paper, should at once be repealed. It is by a subterfuge under this act, that the institutions referred to, claim an exemption from the penalties of the existing laws. I have no disposition to do any bank injustice, but I believe an inquiry by the legislature into abuses of the trust confided to some of them, would be productive of public good. It is well enough to test the question whether these corporations are above the laws of the land, and to make the issue at once, if it must arise, whether we are to have

a government of the banks or of the people. If your present laws are deficient to coerce the banks into their duty, let them be amended; and if the powers of your Chancellor be doubted, enlarge them.

An exclusive metallic currency is neither to be desired nor expected in this country: but that as large an amount of the precious metals as practicable should be infused into our local circulating medium, is undeniable; and as it is the laboring classes who are most subjected to the losses incident to bank paper, we should endeavor to keep within the state and in circulation a sufficient quantity of gold and silver for our ordinary daily transactions. The suppression of small notes would operate to bring a large amount of metals into circulation, as a substitute for the bank paper which would necessarily be withdrawn. You must suppress small notes, or the gold and silver brought into the state will accumulate in the banks, or be withdrawn for individual purposes connected with banks or banking. An inconvenience to the public might at first arise from the operation of this law; but this inconvenience would pass away, as the vacuum produced by the withdrawal of small notes is filled by a return of specie. The measure, however, should be gradual in its operation, so as not to produce too sudden a contraction of our circulating medium. The opinion that the public would suffer a permanent embarrassment, by suppressing the circulation of small notes, is not sanctioned by experience. Many of the states have adopted the policy, and in England, where the maturest reflection is given to the subject of currency and banking, all bank paper has been suppressed below the denomination of five pound notes. It may also be worthy of consideration, whether our banks should not be further limited than at present, in the amount of circulation they should be permitted to have out at any one time.

In connexion with the subject of banking, I beg leave to call your attention to the act of the legislature authorizing a loan of five millions of dollars for purposes of internal improvements. By the provisions of this law, it is declared, "that the proceeds of all railroads and canals constructed by the state, the interest on all loans which may be made from the internal improvement fund, and the dividends arising from all bank stocks owned or to

be owned by the state, so far as may be necessary, shall, under the direction of the legislature, constitute a sinking fund for the payment of the principal and interest of the loan authorized." Under this law, the faith of the state has been pledged, to guarantee certain sources of revenue for the redemption of our loan. A sense of duty, and the interests of the public require, that a system for the investment and management of this sinking fund, should at once be matured. We have held out to the world these different sources of revenue, as showing the ability of the state to meet its engagements, and I am satisfied that it was the intention of the legislature to carry out in good faith their implied pledge, by state investments in bank stock, so soon as the loan authorized should be completed. That the investment of this sinking fund in bank stocks would be more productive and certain than any other mode, I have little doubt; and as it seems the state is to be a holder of bank stock, the question will arise, whether she will place her funds in private institutions, or in an institution under her own control.

Whilst I am willing to yield to the better judgment of the legislature, I can but express my decided preference for a state institution. In addition to the advantageous creation of a sinking fund, for the payment of our loan by the incorporation of such a bank, we should have an agent with ability to manage the financial operations of the state, and calculated to aid us most essentially in our contemplated works of public improvement. Again, a state bank, if properly managed, would be an important instrument in establishing and sustaining our credit abroad; it would have a salutary influence upon our currency, and would, from its large capital, be enabled to render great assistance to the commercial community, in the exchanges between this and other states. The faith of the state pledged for the redemption of its circulation, its paper would command confidence in every part of the Union.

If the project of a state bank should find favor with the legislature, I would suggest that its capital should be limited to the amount of the loan, and that its charter continue during the period for which the loan is made. The stock should be apportioned between the state and individuals, in such a proportion as would give the state unrestricted control of her funds, and, at the

same time, create such a check by private inspection, as would prevent the abuse of the trust held by the public agents. The circulation of the bank should be limited by its charter, and at no one time should exceed a certain fixed sum. The individual stockholders should give the state real estate securities for the amount of their stock, as an indemnity for a guarantee which the state should issue for the redemption of the circulation of the bank. This guarantee might consist of state bonds, bearing an interest of six per cent, to be deposited in the office of the Bank Commissioners, and, although bearing an interest of six per cent, no interest should be paid whilst the bonds are in their hands. This stock should be assignable only under the order of a court, and after such assignment the interest should begin. The bank should be the depository of all the public moneys, should issue no notes of a less denomination than ten dollars, and should make all the disbursements and exchanges of the state gratuitously. For the capital stock, on the part of the state, we might calculate on the surplus revenue received from the United States, the premium and exchange on the state loan, or such part of the principal of the loan as might not be immediately required for public use, the receipts from all railroads and canals, or, if it should be deemed advisable, the whole school and university fund might, at a reasonable rate of interest, be loaned to the internal improvement fund. From these sources, an ample capital might be produced for all the purposes of the institution; and as there are considerations of a grave character connected with the proposition, I would ask for it the calm and dispassionate deliberation of the legislature.

I have repeatedly expressed my opinion against the policy of granting acts of incorporation to individuals for ordinary purposes of trade. My views on this subject remain unchanged. Competition is the best regulator of every branch of industry. The association of wealth for such objects as may be pursued by individual enterprise, subjects the great body of the mechanic and industrious classes to an unfair and injurious competition. The general law relative to incorporations, now in existence, is sufficient for all the purposes of encouraging manufactories; and I would recommend that the legislature abstain hereafter from

all such special legislation as is calculated to create within the heart of the state a system of privileged monopolies, combining to enhance the profits of stock, and with power to depress the wages of labor and in certain particular departments of trade.

At the last annual assemblage of the legislature, I brought before them the injurious consequences resulting from our existing usury law, and urged the necessity of its repeal, as based upon sound policy, and as called for by the best interest of the state. A casual observance of events for the last eight months, has but increased my conviction of the pernicious tendency of all such futile restraints upon the free circulation of capital from individual to individual, or from one occupation to another. We have attempted by legal enactment to fix the value of money at seven per cent per annum, without regard to the condition of the money market; and what has been the practical operation of the law? Why, that while legislation has limited the rate of interest to seven per cent, the demand of the market has brought it up to fifty, and even one hundred per cent per annum, in direct violation of your enactment. But by a recent act of the legislature the rate of interest on loans, may, by special contract, be increased to ten per cent per annum. This modification of the law of usury, does not recognize, however, the sound and undeniable principle, that whatever legal rate of interest you may establish for the value of money, it will yet command the natural rate of the market, which is produced by the demand of the borrowers, and the competition of the lenders. The value of money, like every other article of commerce, must be regulated by demand and supply. If you authorize the lender, by special contract, to take ten per cent per annum for the use of his money, you are certain of accomplishing at least one thing, and this is, that on every emergency, you bring the value of capital up to ten per cent. In the mean time the harpies and shavers of your money market, are rid of all honorable competition, and extort the most extravagant and usurious interest from the wants of the borrower. But the moment you destroy all restraint upon the free circulation of capital, it will flow into the country, and open competition will regulate its value.

As long as the necessities, and oftentimes interests of men

induce them to offer more than your legal rate of value for the use of money, where is the policy of a law, which only throws them into the hands of individuals, who, in addition to the demands of avarice, claim the usurer's compensation for a conscience seared, and ask the usurer's reward for the violated laws of his country. Establish, then, a fixed rate of interest, when no contract exists between the parties, but in all special agreements, leave the interest allowed, to be governed by the discretion of the lender and the borrower.

The geological survey authorized by the last legislature, has been placed under the charge of a competent and scientific gentleman, and is in as rapid progress as the limited appropriation for the last year would permit. The examinations for the past season, have necessarily been of a general character, preparatory to the more minute survey of the present year. Sufficient investigation, however, has been made to render it certain, that Michigan abounds in such mineral resources as will amply compensate the state for any expenditure the legislature may authorize in promoting this survey. The botanical and zoological departments have received due attention, and it has been discovered that the peninsula of Michigan furnishes an interesting field for investigations in natural history. The central portions of the state belong to the coal formation, and sufficient coal has been found to justify the belief that it exists in abundance. Iron and gypsum have also been discovered in large quantities. The examination of the saline springs has been carried so far, as to render it certain that we possess an extensive salt region, and that with but a comparative trifling expenditure, we shall be enabled to manufacture salt in sufficient quantities not only for home consumption, but that it must become an article of extensive export. The whole number of salines granted by the act of Congress have not as yet been located, in consequence of a want of time to examine the northern region of the state; but such a number have been secured as to justify the legislature in authorizing preparatory measures for bringing them into public use. I beg leave to refer you to the report of the State Geologist, which will be laid before you, for all the information you may desire on this important subject. But as that officer is at

present engaged in an extensive analysis, he will not be enabled to submit the result of his investigations at as early a day as he would have desired.

The general advantages resulting to the public from a minute geological survey of our territory, are so manifest, that I am satisfied the subject will recommend itself to your favorable consideration. The developement of the mineral resources of the state, is an object of primary consequence, as it will afford opportunities for the investment of capital in manufactures, and will enable us in time, to reverse, in some degree at least, the balance of trade with other states, which is at present so large against us. The benefits to agriculture, by obtaining a knowledge of our soils, will be immensely advantageous to the farming interest, and should command attention. The favorable results to the cause of science in a general point of view, should not be overlooked; nor should we forget the opportunity now offered of furnishing an extensive and invaluable cabinet in natural history for our state university. And in view of this latter consideration, I must beg leave to state, that I have been requested by the board of regents to recommend to the legislature, that provision be made, by an increased appropriation for the collection and preservation of specimens intended for that institution. I join the regents most heartily in their suggestion, and submit to you a report from a committee of their body, from which strong reasons will be derived for complying with the recommendation I now make. Impressed also with the importance of this survey, in its general benefits to the state, I commend it to your consideration, as justly claiming a participation in a liberal and enlightened system of legislation.

I conceive it an indispensable and imperious duty, again to call the attention of the legislature to our penitentiary system, and to urge that means may be provided by which it may be brought to some degree of perfection. The commissioners appointed for that purpose, will at an early day, recommend a point for the location of the state prison, and report a place for the building, together with a system of government for the institution. The great object intended to be accomplished by imprisonment as a punishment, is the reformation of the offender. Any system we shall adopt, must accomplish this end, or our penitentiary will be-

come the school of vice. The reformation of the morals of the corrupt and wicked, the enlightenment of the ignorant, and the employment of the idly disposed, are cardinal objects, not to be overlooked in your system and discipline. But the objection urged against directing the time and energies of convicts to some useful occupation, is that it will injuriously affect the mechanic interest of the state. This objection is not without some foundation. There can be no doubt that in some states the labor of convicts has competed with, and in some measure lessened the value of the labor of the honest mechanic; nor can it be questioned that by teaching in state prisons the ordinary trades of the country, our mechanics may be exposed to a degrading association. It is then an undertaking of great difficulty to place our penitentiary under such a system as will exempt the public from taxation for its support, and yet avoid the objections I have stated.

Common humanity forbids, that we should adopt the rigid system of solitary confinement without labor, for experience has shown, that the imprisonment of the offender without occupation, destroys the mental faculties, and soon undermines the constitution; nor is it believed, if this objection did not exist, that the public would consent to direct taxation for the entire support of a state prison. We must, then, from necessity engage the convicts in productive labor. But if possible, we must guard against injuriously affecting the mechanical trades of the state. The prisoner, who is a mechanic at the time of his conviction, might still be employed in his usual occupation; for by so doing, you would not increase the aggregate amount of labor in his particular branch of trade; and if the end to be accomplished is the reformation of the offender, the mechanical interest could not oppose it, as when discharged, he would be free to enter into trade again. But in all cases, when a trade is taught the convict, he should be confined to those branches from which the country is supplied by *importations from abroad*. No complaint could be urged against this by persons afterwards embarking in the same occupation, for they would engage in it, under an existing state of things, and would have no right to urge the destruction of the system. But as the convicts in this state will for a long time be engaged in constructing the necessary buildings for a perma-

nent penitentiary, the day may be considered remote, when the evils to be apprehended from a state prison monopoly can arise. In maturing your system, however, you should guard against this contingency, although remote and distant.

The President of the United States has recommended the passage of an act of congress for the benefit of pre-emption claimants to the public lands in the western states. This recommendation is demanded by that hardy and enterprising class of citizens, who, invited by congress, have settled upon the public lands; and it is also due to them and the President, that the legislature of this state should second a recommendation which, if successful, has a tendency to bring our vacant territory into the hands of actual settlers. In connexion with this subject, I beg leave to state, that many of the state locations of lands authorized by the grant of congress have conflicted with private claims, and that many of those claims may be recognized without injury to the public. A special message, however, will be communicated on this subject, based upon the report of the Superintendent of Public Instruction, who has inquired into the number of private claims that may be yielded to, without detriment to the fund under his charge.

The legislature at its extra session, which has just closed, has had under consideration a revision of the laws, and have completed such parts as were submitted by the reviser. There remain, however, several important matters, which require your consideration; these are the regulation of costs and fees, the limitation of actions and prosecutions, and provision for the relief of insolvent and imprisoned debtors. And I beg leave here to state, that I cannot permit the occasion to pass without again expressing my conviction that the entire abolition of imprisonment for debt, is at once due, both to the rights of personal liberty, and to a wise and equal dispensation of justice among all classes of citizens. My views upon this all absorbing topic have been fully represented, in repeated communications to your predecessors. But where personal liberty is at stake, where the oppression of the poor and unfortunate call for your protection, where equal justice is to be extended to every citizen, the additional aid of an executive recommendation cannot be needed to ensure the prompt action of an enlightened legislature.

I also conceive it my duty to invite your attention to the present state of our militia. Under the existing state of things, the whole system is falling into disrepute, and unless some reformation is speedily adopted, any attempt at an organization of the militia of this state must be abandoned. Too little interest is generally felt in this important department of state policy. But it is manifest under our republican form of government, that in the event of war, the chief dependence of the country rests with the citizen soldier, and unless it be made a part of the policy of each state, to discipline the militia and perfect their organization, they will in the event of emergency, be found totally inadequate for all the purposes of national defence. Our people are competent as soldiers for any service, as their history proclaims; but a raw and undisciplined army, though composed of freemen, contend against fearful odds, when opposed to regular troops, and they even the hireling slaves of a despot.

For the purpose of introducing a more perfect discipline in our militia, I would recommend the creation of a school of instruction for officers. Frequent officer drills should be required, and a chief drill officer of the state appointed, whose duty it should be to attend each muster and conduct the drill himself as instructor. Every encouragement should be given to the organization of volunteer corps; they should be exempted from certain burthens of government as an inducement for volunteering, and each company should be furnished with army and camp equipage, at the cost of the state. They should be required to do camp duty three days at least in each year, and should receive from the state marks of honor for excelling in appearance, and for perfection in drill. Your attention is also directed to the organization of the different departments of divisions and brigades and the general staff.

Entertaining, fellow citizens, an anxious and confident hope, that the result of your deliberations will tend to promote the lasting prosperity of the state we represent, I offer you in conclusion, the assurance of my diligent and faithful co-operation in the accomplishment of every measure, conducive to the well being and happiness of the people of Michigan.

STEVENS T. MASON.

January 4, 1838.

The message having been read, on motion of Mr. McClelland,

Resolved, That two thousand copies of the message be printed in the English language, and five hundred in the French language, for the use of the members.

On motion of Mr. Buel, two hundred copies of the message were ordered to be printed in the German language.

On motion of Mr. McClelland, the documents accompanying the Governor's message, were laid upon the table, and five hundred copies of the same were ordered to be printed for the use of the members.

[See *Documents No. 1, 2.*]

On motion of Mr. Cook,

Resolved, That J. B. Vallee be appointed to translate the message of the Executive into the French language.

On motion of Mr. Moran,

Resolved, That A. W. Buel be appointed to translate the message of the Executive into the German language.

On motion of Mr. Levake, the House adjourned until ten o'clock to-morrow morning.

Friday, January 5.

The House met pursuant to adjournment.

Prayer by the Right Rev. Bishop McCoskry.

The roll being called, the following members were absent :
Messrs. Champlin, Dorsey, Decker, Hotchkiss, Vickery.

The proceedings of yesterday being read,

The Chair announced a communication, purporting to be evidence, contesting the election of the member from Berrien, which was referred to the committee on privileges and elections.

Mr. Bement, from the select committee appointed to wait upon the several clergymen of this city and invite them to officiate during the present session, reported, that the committee had performed the duty assigned them, and would inform the House that the several clergymen would officiate alternately every week.

Mr. Bement, from the special committee on elections, made the following report :

The committee on privileges and elections, to whom was referred the certificate of election of Ephraim S. Williams, together with certain other papers relating thereto, respectfully report :

Whereas, it appears to said committee, that Jeremiah R. Smith has pursued the legal and necessary steps for contesting the right of said Ephraim S. Williams, to a seat in the House of Representatives of the state of Michigan : and whereas, from an examination of said papers, it appears to said committee, that said Jeremiah R. Smith received the highest number of votes given to any individual, at the election referred to in said certificate, for the office of representative for the district composed of the counties of Saginaw, Genesee and Shiawassee ; said committee is therefore of the opinion, that said Jeremiah R. Smith is entitled to a seat in this House, and submit the following resolution :

Resolved, That Jeremiah R. Smith is entitled to the seat in this House, claimed by Ephraim S. Williams as representative for the district composed of the counties of Saginaw, Genesee and Shiawassee.

All which is respectfully submitted.

R. B. BEMENT,

A. W. BUEL,

CHAS. SPAFFORD,

JOHN BALL,

LEVI COOK,

Committee on Privileges and Elections.

Detroit, Jan. 4, 1838.

Mr. Bement, from the special committee on elections, made the following report :

The committee on privileges and elections, to whom was referred the certificate of election of Mason I. James, respectfully report :

That, whereas it appears to them, that the county of Oakland and the northern half of the county of Livingston form one representative district, which district is entitled to six representatives in the House of Representatives of the state of Michigan ; and whereas, it appears to said committee, that said certificate of elec-

tion is entirely insufficient, and that the said Mason I. James is not one of the six persons who received the highest number of votes at the election referred to in said certificate. Said committee is therefore of the opinion, that said Mason I. James is not entitled to a seat in this House, and submit the following resolution:

Resolved, That the certificate of election of Mason I. James is insufficient, and does not entitle him to a seat in this House.

All which is respectfully submitted.

R. B. BEMENT,
A. W. BUEL,
CHAS. SPAFFORD,
JOHN BALL,

Committee on Privileges and Elections.

Detroit, Jan. 4, 1838.

The question being upon the adoption of the resolution,

Mr. McClelland moved to amend the resolution by adding the words "and that the seat now occupied by him, be and the same is hereby vacated," whereupon the resolution as amended was adopted.

Mr. Butler announced the presence of Mr. Jira Payne, who, after having been duly qualified, took his seat.

The Chair announced the following standing committees:

Committee of Ways and Means—Messrs. Moran, Cook, King, Wakefield, Wadham, Kellogg, Lacy.

Judiciary—Messrs. Buel, J. M. Howard, Lancaster, Buckbee, Butler, Kent, McClelland.

Education—Messrs. J. M. Howard, Ball, Montgomery, Vickery, Wakefield, Draper, J. R. Smith.

Internal Improvement—Messrs. McClelland, Adams, Payne, Bement, Cooley, Gidley, Crane.

Agriculture and Manufactures—Messrs. Gidley, Pray, Doty, Lane, Odell, Decker, Goodman.

Claims—Messrs. Cook, Wixom, Burke, Thompson, Dorsey, Adams, and Sheldon.

Accounts—Messrs. Buckbee, Williams, Hotchkiss, Bowman, Charter, Poucher and Ball.

Militia—Messrs. H. Smith, J. Howard, Beaufait, Bement, Bowman, Draper, and Champlin.

Elections—Messrs. Wadham, Moran, Hotchkiss, Doty, Wixom, Levake and Lane.

Banks and Incorporations—Messrs. Bement, J. M. Howard, Risdon, Payne, Dorsey, Lancaster and Cooley.

University and School Lands—Messrs. Montgomery, Kellogg, Gidley, Butler, Kent, Williams and Wakefield.

Organization of Towns and Counties—Messrs. Crane, Vickery, Champlin, J. R. Smith, Goodman, Decker and Sheldon.

Expenditures—Messrs. Levake, Gant, Poucher, Lacey, Buel, Spafford and Thompson.

Printing—Messrs. Gant, Buel, Draper, Lane, Thompson, Buckbee and Montgomery.

Enrolment—Messrs. Lancaster, Vickery, Williams, Gant, H. Smith, McClelland and J. M. Howard.

State Prison—Messrs. Dorsey, Adams, J. Howard, Burke, Kent, Charter and Gidley.

Expiring Laws and what new Laws they conceive necessary—
Messrs. Butler, Cook, Decker, Odell, Spafford, Beaufait and Sheldon.

Roads and Bridges—Messrs. Risdon, Kellogg, Goodman, Doty, Bowman, Kent, Champlin and Hotchkiss.

Indian Affairs—Messrs. King, Levake, J. Howard, Pray, Crane and Charter.

Unfinished Business—Messrs. Lacey, Cooley, Buckbee, Burke, Pray, Odell, Wixom and Beaufait.

Library—Messrs. Ball, McClelland and Payne.

On motion of Mr. Buel,

Resolved, That so much of the Governor's message as relates to the state geological survey, be referred to a select committee of five.

Whereupon, the Chair announced Messrs. Buel, Ball, Wakefield, McClelland and J. M. Howard, as said committee.

Mr. Ball offered the following joint resolution, which according to rule was laid upon the table for one day.

Resolved by the Senate and House of Representatives of the State of Michigan, That our senators in congress be instructed, and our representative requested to use their best exertions for the passage of a pre-emption law in favor of actual settlers on the public lands.

Mr. Cook offered the following resolution, which, on motion of Mr. Bement, was laid upon the table for one day.

Resolved, That a committee of three be appointed to wait on the several printers and publishers of newspapers in the city of Detroit, and to ascertain and report to this House as soon as practicable, the terms on which each of them will engage to publish the journal and other documents directed to be printed by order of the House, during the present session.

Mr. Buel offered the following resolutions, which were adopted:

Resolved, That so much of the Governor's message as relates to the militia, be referred to the committee on the militia.

Resolved, That so much of the Governor's message as relates to the penitentiary, be referred to the committee on state prisons.

Resolved, That so much of the Governor's message as relates to education, be referred to the committee on education.

Resolved, That so much of the Governor's message as relates to agriculture and manufactures, be referred to the committee on agriculture and manufactures.

On motion of Mr. Moran,

Resolved, That so much of the Governor's message as relates to the judiciary, be referred to the committee on the judiciary.

On motion of Mr. Levake,

Resolved, That so much of the Governor's message as refers to the construction of a ship canal around the falls of St. Marie, be referred to a select committee of three members.

Whereupon, the Chair announced Messrs. Levake, Kellogg and Wixom, as said committee.

On motion of Mr. M'Clelland,

Resolved, That so much of the Governor's message as relates to imprisonment for debt and usury laws, be referred to the committee on the judiciary.

On motion of Mr. Kellogg,

Resolved, That so much of the Governor's message as relates to the canal survey, be referred to the committee on internal improvements.

On motion of Mr. Gant,

Resolved, That so much of the Governor's message as relates to banks and incorporations, be referred to the committee on banks.

On motion of Mr. Risdon,

Resolved, That so much of the Governor's message as relates to a grant of lands from the general government, be referred to the committee on internal improvements.

Mr. Wakefield offered the following resolution :

Resolved, That the compensation allowed the several clergymen of this city, for officiating as chaplains of this House, be paid by subscription, or otherwise, from the private purses of the members.

Mr. Levake moved to amend the resolution by striking out the word "otherwise."

Mr. Gantt moved further to amend said resolution, by striking out the word "subscription ;" pending which motion,

Mr. McClelland moved to lay said resolution on the table ; which question was, on his motion, decided by yeas and nays, in the affirmative, as follows :

YEAS.

Mr. Adams,	Mr. Doty,	Mr. McClelland,
Mr. Ball,	Mr. Decker,	Mr. Moran,
Mr. Buel,	Mr. Draper,	Mr. Montgomery,
Mr. Burke,	Mr. Goodman,	Mr. Pray,
Mr. Bement,	Mr. Gidley,	Mr. Poucher,
Mr. Beaufait,	Mr. Gant,	Mr. Risdon,
Mr. Butler,	Mr. J. M. Howard,	Mr. H. Smith,
Mr. Bowman,	Mr. J. Howard,	Mr. Spafford,
Mr. Buckbee,	Mr. Hotchkiss,	Mr. Sheldon,
Mr. Champlin,	Mr. Kellogg,	Mr. Thompson,
Mr. Cook,	Mr. Kent,	Mr. Wixom,
Mr. Cooley,	Mr. Lacey,	Mr. Williams,
Mr. Crane,	Mr. Lane,	Mr. Wadham,
Mr. Charter,	Mr. Lancaster,	Mr. Speaker,
Mr. Dorsey,	Mr. Levake,	

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NAYS.

Mr. Odell,	Mr. Vickery,	Mr. Wakefield,
Mr. J. R. Smith,		

4

On motion of Mr. Crane, five hundred copies of the inaugural address of the Governor, was ordered to printed for the use of the members.

The Chair announced a message from the Senate, in the words following :

Mr. SPEAKER—In pursuance of the rules of the Senate, I here-with transmit a resolution relative to the appointment of a fiscal agent of the present legislature, which has passed the Senate, and in which the concurrence of the House of Representatives is respectfully requested.

The resolution of the Senate, according to rule, was laid upon the table for one day.

On motion of Mr. Gantt, the House adjourned until Monday morning at ten o'clock.

Monday, January 8.

The House met pursuant to adjournment,

Prayer by the Rev. Mr. Berry.

The roll having been called, the following members were absent : Messrs. Cook, Goodman, J. M. Howard and Williams.

The journal of Friday having been read,

Mr. Crane presented a petition to incorporate the town of Hundy.

Mr. Risdon presented a petition to incorporate the town of Canaan.

Mr. Gidley presented a petition to incorporate the town of Hartland.

Said petitions were severally referred to the committee on organization of towns and counties.

Mr. Kellogg presented a petition to incorporate the village of Allegan, with certain privileges, and also to empower the trustees of said village to contract a loan, which was, on his motion, referred to the committee on banks and incorporations.

Mr. Lancaster presented a petition to incorporate the Mottville and White Pigeon railroad company, which was, on his motion, referred to the committee on internal improvement.

Mr. Levake presented a petition for the construction of a state road from Bellevue, in Eaton county, to Waterloo, in Clinton county; also for a state road from Battle Creek to Hastings, also from Battle Creek to Coldwater, which were referred to the committee on roads and bridges.

[Jan. 8.

Mr. Odell presented a petition to change the name of the village of Whitmanville, in Cass county, which was, on his motion, referred to the committee on the organization of towns and counties.

On motion of Mr. Crane,

Resolved, That so much of the Governor's message as relates to internal improvements be referred to the committee on internal improvement.

Mr. Butler offered the following joint resolution, which, according to the rules, lies upon the table one day:

Resolved by the Senate and House of Representatives of the state of Michigan, That our senators in congress be instructed, and our representative be requested to use their influence to procure the passage of a law making appropriations for the improvement of the harbor at the mouth of the Clinton river, in Macomb county, and for the building of a light-house at Huron point, on Lake St. Clair.

On motion of Mr. Butler,

Resolved, That so much of the Governor's message as relates to the suppression of small bank notes within this state, be referred to a select committee of five persons.

Whereupon the Chair announced Messrs. Butler, McClelland, Lancaster, Buel and Payne, as said committee.

On motion of Mr. McClelland,

Resolved, That the committee on banks and incorporations be instructed to inquire into the expediency of so amending the acts relative to the organization and regulation of banking associations that the amount specified in the bonds and mortgages required to be given by said acts, shall not exceed half the cash value of the premises mortgaged, and that each stockholder in such association shall be liable individually for the payment of its debts, in case of its insolvency, and that said committee report by bill or otherwise.

On motion of Mr. McClelland,

Resolved, That the committee on internal improvements be instructed to inquire into the propriety of reducing the number of the board of internal improvement, and report by bill or otherwise.

On motion of Mr. Sheldon,

Resolved, That Mason I. Janes, whose seat in this house has been vacated, is entitled to his pay in coming to and returning from the seat of government, and to his per diem allowance for the time he has occupied a seat in this House.

On motion of Mr. McClelland,

Resolved, That so much of the Governor's message as relates to banks, which although continuing to refuse specie on their notes when presented for payment, have declined accepting the terms of the suspension act, be referred to the committee on the judiciary.

On motion of Mr. Buel,

Resolved, That the committee on banks be instructed to report by bill or otherwise, at as early a day as practicable, their views of the expediency of incorporating a state bank.

On motion of Mr. Kellogg,

Resolved, That so much of the Governor's message as relates to state location of lands, be referred to the committee on claims.

On motion of Mr. Gantt,

Resolved, That the committee on judiciary be requested to report a bill abolishing imprisonment for debt, and to punish fraudulent debtors, at as early a day as will suit their convenience.

On motion of Mr. Crane,

Resolved, That so much of the Governor's message as relates to the finances of the state, be referred to the committee of ways and means.

Mr. Wixom offered the following resolution, which was on motion of Mr. Butler, laid upon the table :

Resolved, That the committee on internal improvement, be instructed to enquire into the expediency of constructing a canal from the city of Detroit, to intersect the surveyed route of the Clinton canal, near Kensington, in the county of Oakland, and report to this House by bill or otherwise.

On motion of Mr. Kellogg,

Resolved, That so much of the Governor's message as relates to petitioning the general government for donations of land for works of internal improvement, be referred to a committee of five, to report as soon as practicable, whereupon the Chair an-

nounced Messrs. Kellogg, McClelland, Adams, Gidley, and Buckbee.

On motion of Mr. Moran,

Resolved, That the judiciary committee be instructed to enquire into the propriety and equity of providing by law a reasonable compensation to the associate justices of circuit courts of the several counties within this state.

On motion of Mr. Buel,

Resolved, That a committee of three be appointed to enquire into the loss of certain papers directed to the Speaker of this House, concerning a contested election from the county of Cass, whereupon the Chair announced Messrs. Buel, Moran and Gant, as said committee.

On motion of Mr. Cooley,

Resolved, That the act incorporating the Michigan and Huron institute, be so amended as to authorize the president of the board of trustees, to convey real estate belonging to said institution, which resolution was referred to the committee on education.

On motion of Mr. Henry Smith,

Resolved, That the act or acts passed by the late extra session of the legislature, relative to the board of internal improvement, be printed for the use of the members.

On motion of Mr. Moran,

Resolved, That the clerk of this House furnish John Norton, jr. the fiscal agent of the state, the names of the members and officers of this House, with the distances of their respective residences from the seat of government.

On motion of Mr. Buel, the joint resolution from the Senate, heretofore laid upon the table, relative to the appointment of a fiscal agent, was taken up and adopted.

On motion of Mr. Ball, the joint resolution relative to instructing our senators and representative in congress, to urge the passage of a pre-emption law, and heretofore laid upon the table, was taken up and adopted.

On motion of Mr. Kellogg, the House adjourned until ten o'clock to-morrow morning.

Tuesday, January 9.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Berry.

The roll being called, the following members were absent, Messrs. Burke and Goodman.

The Speaker not appearing present, Mr. Buel was called to the chair.

Mr. J. M. Howard presented a petition to incorporate the "Trustees of Michigan college," accompanied with the following resolution, which was adopted.

Resolved, That the petition of the committee of the "Trustees of Michigan college" be referred to the committee on education, and that they report by bill or otherwise.

Mr. Henry Smith presented an affidavit of the president and secretary of the St. Clair and Romeo railroad company, relative to their expenditures, which, having been read, was on his motion laid on the table.

[See Document No. 3.]

Mr. J. R. Smith presented a petition from D. H. Fitzhugh and E. A. Le Roy, praying the passage of a law authorizing them to construct a dam across Pine river, in Midland county.

Mr. Kent presented a petition for a state road beginning at the south line of the state, then north to the road leading from Jonesville to Marshall.

Mr. Lane presented a petition to organize a township to be called Berlin.

Mr. Kent presented a petition to organize a township to be called Mattison.

Mr. Cooley presented a petition to organize township two south, range twelve west, in the county of Kalamazoo.

Also township one south, range twelve west, in the Kalamazoo district, which were severally referred to the committee on the organization of towns and counties.

Mr. Lacey presented a petition from the settlers on the Indian reservation in the county of Berrien, of other citizens of Berrien, and the adjoining counties, praying for a removal of the location made for university and state purposes, upon the claims of actual

settlers, which was, upon his motion, referred to the committee on university and school lands.

Mr. Vickery presented a petition, protesting against the annexation of Texas to the Union, and moved its reference to a select committee of five.

Mr. Gantt moved to lay said petition upon the table, which was, on motion of Mr. Cook, decided by yeas and nays, in the negative, as follows :

YEAS.

Mr. Crane,
Mr. Decker,

Mr. Gantt,
Mr. King,

Mr. Lancaster, 5

NAYS.

Mr. Adams,
Mr. Ball,
Mr. Bement,
Mr. Buel,
Mr. Beaufait,
Mr. Butler,
Mr. Bowman,
Mr. Buckbee,
Mr. Champlin,
Mr. Cook,
Mr. Cooley,
Mr. Charter,
Mr. Dorsey,
Mr. Doty,
Mr. Draper,

Mr. Gidley,
Mr. J. M. Howard,
Mr. J. Howard,
Mr. Hotchkiss,
Mr. Kellogg,
Mr. Kent,
Mr. Lacy,
Mr. Lane,
Mr. Levake,
Mr. McClelland,
Mr. Moran,
Mr. Montgomery,
Mr. Odell,
Mr. Pray,

Mr. Payne,
Mr. Poucher,
Mr. Risdon,
Mr. H. Smith,
Mr. Spafford,
Mr. Sheldon,
Mr. J. R. Smith,
Mr. Thompson,
Mr. Vickery,
Mr. Wakefield,
Mr. Wixom,
Mr. Williams,
Mr. Wadham,
Mr. Speaker, 42

The question recurring upon the reference of said petition, it was decided by yeas and nays, in the affirmative, as follows :

YEAS.

Mr. Adams,
Mr. Ball,
Mr. Bement,
Mr. Buel,
Mr. Beaufait,
Mr. Butler,
Mr. Bowman,
Mr. Buckbee,
Mr. Champlin,
Mr. Cook,
Mr. Cooley,
Mr. Crane,
Mr. Charter,
Mr. Dorsey,

Mr. Draper,
Mr. Gidley,
Mr. Gantt,
Mr. J. M. Howard,
Mr. J. Howard,
Mr. Hotchkiss,
Mr. Kellogg,
Mr. Kent,
Mr. King,
Mr. Lace, y,
Mr. Lane,
Mr. Lancaster,
Mr. Levake,
Mr. McClelland,

Mr. Odell,
Mr. Pray,
Mr. Payne,
Mr. Poucher,
Mr. Risdon,
Mr. H. Smith,
Mr. Spafford,
Mr. Sheldon,
Mr. J. R. Smith,
Mr. Thompson,
Mr. Vickery,
Mr. Wakefield,
Mr. Wixom,
Mr. Williams,
Mr. Speaker,

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Mr. Doty, **Mr. Moran,** **Mr. Wadham,** **48**
Mr. Decker, **Mr. Montgomery,** **NAYS.**

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Whereupon the Chair announced Messrs. Vickery, Gant, J. M. Howard, Crane, and Wakefield as said committee.

Mr. Vickery presented a petition, praying the repeal of all laws creating any distinction of color, which was laid upon the table.

Mr. Vickery presented a petition praying the adoption of resolutions declaring that congress has the constitutional power to abolish slavery and the slave trade in the district of Columbia, &c.

Mr. Gant moved to refer it to the select committee above named.

Mr. Crane moved to lay said petition upon the table, which was decided in the negative.

The question recurring upon the reference, it was, on motion of Mr. Henry Smith, decided by yeas and nays, in the affirmative, as follows :

YEAS.

Mr. Adams,	Mr. Decker,	Mr. Montgomery,
Mr. Ball,	Mr. Draper,	Mr. Odell,
Mr. Bement,	Mr. Gidley,	Mr. Pray,
Mr. Buel,	Mr. Gant,	Mr. Payne,
Mr. Beaufait,	Mr. J. M. Howard,	Mr. Poucher,
Mr. Butler,	Mr. J. Howard,	Mr. Risdon,
Mr. Bowman,	Mr. Hotchkiss,	Mr. Spafford,
Mr. Buckbee,	Mr. Kellogg,	Mr. Sheldon,
Mr. Champlin,	Mr. Kent,	Mr. J. R. Smith,
Mr. Cook,	Mr. King,	Mr. Thompson,
Mr. Cooley,	Mr. Lacy,	Mr. Vickery,
Mr. Crane,	Mr. Lane,	Mr. Wixom,
Mr. Charter,	Mr. Lancaster,	Mr. Williams,
Mr. Dorsey,	Mr. McClelland,	Mr. Wadham,
Mr. Doty,	Mr. Moran,	

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NAYS.

Mr. Levake, **Mr. H. Smith,** **2**

Mr. Bement, from the special committee on privileges and elections, made the following report, which was accepted and the resolution adopted :

The committee on privileges and elections, to whom was referred certain papers contesting the right of Elijah Lacey to a seat in this House, respectfully represent:

That they have had said papers under consideration, but are of the opinion that they are entirely insufficient, and submit the following resolution:

Resolved, That Elijah Lacey is justly entitled to a seat in this House.

R. B. BEMENT,
JOHN BALL,
A. W. BUEL,
CHAS. SPAFFORD.

Detroit, Jan. 8, 1838.

The Chair announced the following communication from the Superintendent of Public Instruction, which was laid upon the table, and five hundred copies ordered to be printed.

[See Document No. 4.]

On motion of Mr. Lancaster,

Resolved, That the Secretary of State be requested to furnish a true copy of the profiles containing the several surveys made by the board of internal improvement, and that the same, when so furnished, be exhibited on the walls of one of the committee rooms of this House, that the same may be exhibited for public inspection.

On motion of Mr. Buckbee,

Resolved, That the committee on banks and incorporations be instructed to inquire into the expediency of so far suspending the act relative to the organization and regulation of banking associations, as to prevent the formation of any more banks under said act, for the space of one year, and report forthwith.

Mr. Gantt offered the following resolution, which was laid upon the table.

Resolved, That the representatives of the people have no constitutional power to appropriate the people's funds for the support of the clergy, either in or out of this hall.

On motion of Mr. Butler,

Resolved, That the committee on expenditures be requested to

furnish each member of this House with a copy of Farmer's map of Michigan.

Mr. Cook offered the following resolution, which was, on motion of Mr. Butler, laid upon the table.

Resolved, That the committee of ways and means, be instructed to inquire into the propriety of reducing the pay of the members of this legislature, to two dollars per day, and report by bill or otherwise.

Mr. Crane offered the following joint resolution, which, according to rule, lays on the table on-day.

Resolved by the Senate and House of Representatives of the State of Michigan, That our senators and representative in congress, be requested to use their efforts in favor of appropriations agreeably to the estimates already submitted to complete the public roads commenced by the general government in this state previous to our admission into the Union.

On motion of Mr. Sheldon, the House adjourned until three o'clock, P. M.

AFTERNOON SESSION.

The House met pursuant to adjournment.

The roll being called,

The Chair announced a communication from sundry inhabitants of the township of Southfield, petitioning for the passage of a law authorizing the Superintendent of Public Instruction to sell certain lands in said township, which was referred to the committee on university and school lands.

The Chair announced sundry communications from the State Treasurer, which were laid on the table, and on motion of Mr. Moran, five hundred copies were ordered to be printed.

[See Document No. 5.]

Also the following communication, which was referred to the committee on banks and incorporations :

STATE TREASURER'S OFFICE,
Detroit, Jan. 9th, 1837.

Sir—I have had, within a few days past, inquiries made of me, as Treasurer of the state, as to what funds would be received at my office in payment of any dues to the state.

This subject, involving as it does, the consideration of our currency as it exists, I am induced to ask of the constituted authorities, having cognizance of this subject, their counsel and advice.

As the taxes for the current year are now in process of collection, and probably the bills of *all* the banks have been, more or less, received in payment thereof, and as this department is in much doubt as to the bills which shall be received at this office, I respectfully ask an immediate and special action of the legislature upon this subject.

I am informed by the cashier of the deposite bank for state funds, that, unless he can be permitted to disburse for state purposes the funds received on account of the state, he will not indiscriminately receive from the State Treasurer in deposite the bills of all the banks already established.

I am sir, your ob't servant,

H. HOWARD, *Treasurer.*

To the Hon. SPEAKER

of the House of Representatives, State of Mich., Detroit.

On motion of Mr. Butler, the House took up the joint resolution, yesterday laid upon the table, relative to instructing our senators and representative in congress to urge the passage of a law making appropriations for the improvement of the harbor at the mouth of the Clinton river, and also for the building of a light-house at Huron's Point, on Lake St. Clair.

On motion of Mr. Kellogg, said resolution was amended by adding the words "also for an appropriation to improve the harbor and construct a light-house at the mouth of the Kalamazoo river."

On motion of Mr. McClelland, it was further amended by adding the words "also for the harbor and light-house at the mouth of the river Raisin."

On motion of Mr. Kent, it was further amended by adding the words "also to improve the harbor at the mouth of Grand river."

On motion of Mr. Wakefield, it was further amended by adding the words "and also to improve the navigation of the Flint river."

Said resolution was then read a third time and passed.

Mr. Henry Smith moved a re-consideration of the vote taken upon the adoption of a resolution relative to the Secretary of

State furnishing profiles of the surveys and location of the present works of internal improvement, which was decided in the affirmative.

The question recurring upon the adoption of the resolution,

Mr. Gantt moved to lay it upon the table, which was decided in the affirmative.

On motion of Mr. Butler,

Resolved, That the committee on the judiciary be instructed to inquire into the propriety of so amending the forty-first section of "An act to regulate and define the powers of justices of the peace and constables in civil cases," that the action shall be brought in the township, or in the adjoining township in which one of the parties reside; and when there are more than one plaintiff or defendant, the same shall be brought in the township, or in the adjoining township, in which one of the plaintiffs or one of the defendants reside, unless the process be by warrant or attachment.

On motion of Mr. Butler,

Resolved, That the committee on internal improvement be instructed to inquire into the propriety and practicability of constructing a canal from the mouth of Saginaw river, to intersect the Clinton river at or near Mount Clemens, and to report the same by bill or otherwise.

On motion of Mr. Wixom, the following resolution, heretofore laid upon the table, was taken up and adopted :

Resolved, That the committee on internal improvements be instructed to inquire into the expediency of constructing a canal from the city of Detroit, to intersect the surveyed route of the Clinton canal, near Kensington in the county of Oakland, and to report to this House by bill or otherwise.

On motion of Mr. McClelland, the House adjourned until tomorrow at 10 o'clock, A. M.

Wednesday, January 10.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Berry.

The roll having been called, the following members were absent : Messrs. Burke, Goodman, Charter and Wakefield.

The proceedings of yesterday having been read,

Mr. Butler asked and obtained leave of absence for Mr. Goodman, indefinitely.

Mr. Wixom asked and obtained leave of absence for Mr. Wakefield, indefinitely.

Mr. Crane presented a petition to organize township four north, of range three east, in Livingston county..

Mr. Dorsey presented a petition to organize township one south, range seven west, by the name of Plainfield, which was referred to the committee on the organization of towns and counties.

Mr. Beaufait presented a petition to authorize the commissioners of Hamtramck, to make a loan for the construction of a bridge over Fox creek.

Mr. Kellogg presented a petition to amend section fifteen in "An act appointing commissioners to lay out and establish certain state roads," which was referred to the committee on roads and bridges.

Mr. Vickery presented sundry petitions from inhabitants of Washtenaw, petitioning this legislature to protest against the annexation of Texas or any new state unto the Union, also for the adoption of resolutions declaring the constitutional power of congress to abolish slavery in the district of Columbia, which were severally referred to a select committee of five heretofore appointed by the Chair.

Mr. Vickery presented a petition, praying the passage of a law securing to every human being in this state the right of trial by jury, which was referred to the committee on the judiciary.

Mr. Buckbee presented a petition from James Roughan, praying the legislature to authorize him to alter the manner of spelling his name from that of Roughan, to that of Rowan, which was referred to the committee on the judiciary.

Mr. J. Howard presented a petition, praying for the passage of a law incorporating the "Gibraltar and Flat Rock company," which was, on motion, laid upon the table.

Mr. Bement, from the committee on banks and incorporations, made the following report, which was laid on the table.

The committee on banks and incorporations, to whom was re-

ferred the resolution relative to the suspension of the general banking law of this state, respectfully report:

That they have had the subject under consideration, and are of the opinion that it is expedient that said act be suspended for the period of one year from and after the passage of this resolution.

Resolved, That the act entitled "An act to amend an act entitled 'An act to organize and regulate banking associations and for other purposes, approved the thirtieth day of December, A. D. 1337,'" be suspended for the period of one year from and after the passage of this resolution, as to any banking institution which has not gone into operation, and that the act to which said act is amendatory, be suspended for the same period as to any banking institution whereof the capital stock has not already been subscribed, and ten per centum of which stock has not been paid in to the treasurer, in pursuance of the seventh section of the act last referred to.

R. B. BEMENT,
C. LANCASTER,
A. DORSEY,
A. COOLEY,
J. M. HOWARD,
O. RISDON,
JIRA PAYNE.

Mr. Buel, from the committee on the judiciary, to which was referred so much of the governor's message as relates to usury laws, reported a bill entitled "An act relative to interest on contracts," which was read a first and second times and committed to a committee of the whole House.

On motion of Mr. J. M. Howard,

Resolved, That the select committee to whom was referred so much of the Governor's message as relates to the state geological survey, be increased by the addition of one member, to be appointed by the Chair.

Whereupon the Chair announced that Mr. Bement would constitute the additional member.

On motion of Mr. Buel,

Resolved, That the Secretary of State be requested to deposite

at the capitol, in some convenient place for the use of the members of the legislature, the late revised code of laws.

On motion of Mr. J. Howard,

Resolved, That the committee on internal improvement, be directed to enquire into the expediency and practicability of constructing a canal to connect the waters of the Grand river with the waters of the Huron, and report to this House by bill or otherwise.

On motion of Mr. J. M. Howard,

Resolved, That the Secretary of State be requested to furnish this House with a correct statement of the returns received at his office, under the act entitled "An act to provide for taking the census," approved 21st March, eighteen hundred and thirty-seven.

On motion of Mr. Risdon,

Resolved, That the clerk of this House procure printed, a report of a select committee of the late House of Representatives, of which the Hon. Mr. Ely was chairman, on the subject of the state taxes.

[See Document No. 6.]

On motion of Mr. Moran,

Resolved, That the committee on banks and incorporations, be instructed to inquire into the expediency of reporting a bill, providing for taxing all lands alike, without regard to improvements, and that said committee report as soon as practicable.

Mr. Buel offered the following resolution, which was, on his motion, laid upon the table.

Resolved, That the recent reported outrage committed by British subjects, in the destruction of the American steamer Caroline, and the inhuman massacre of a portion of its crew, within American waters and near the American shore, is an indignity to our common country, which calls loudly for reparation.

On motion of Mr. Ball,

Resolved, That this House will co-operate with the state agricultural society, in their exertions to advance the interests of agriculture in this state.

On motion of Mr. Crane, the joint resolution yesterday laid upon the table, relative to instructing our senators and representa-

tive in congress, to urge the passage of a law making appropriations to complete the roads commenced by the general government, in this state, previous to our admission into the Union, was taken up, read a third time and passed.

On motion of Mr. Cook, the resolution heretofore laid upon the table, relative to the appointment of a committee of three to wait upon the several printers in this city, to inquire into and obtain their terms for doing the printing of the present session, was taken up for consideration.

Mr. McClelland moved to amend said resolution by striking out the words "a committee of three be appointed," and insert the words "the committee on printing be instructed."

Mr. Gantt moved the indefinite postponement of the further consideration of said resolution, which was, on his motion, decided by yeas and nays, in the negative, as follows :

YEAS.

Mr. Adams,	Mr. Doty,	Mr. Lancaster,
Mr. Bement,	Mr. Decker,	Mr. Pray,
Mr. Beaufait,	Mr. Gantt,	Mr. Poucher,
Mr. Buckbee,	Mr. Kent,	Mr. Wixom,
Mr. Crane,	Mr. King,	Mr. Speaker,
Mr. Dorsey,		

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NAYS.

Mr. Ball,	Mr. J. Howard,	Mr. Payne,
Mr. Buel,	Mr. Hotchkiss,	Mr. Risdon,
Mr. Butler,	Mr. Kellogg,	Mr. H. Smith,
Mr. Bowman,	Mr. Lacey,	Mr. Sheldon,
Mr. Champlin,	Mr. Lane,	Mr. J. R. Smith,
Mr. Cook,	Mr. Levake,	Mr. Thompson,
Mr. Cooley,	Mr. McClelland,	Mr. Vickery,
Mr. Draper,	Mr. Moran,	Mr. Williams,
Mr. Gidley,	Mr. Montgomery,	Mr. Wadham,
Mr. J. M. Howard,	Mr. Odell,	

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Mr. Gantt moved to lay said resolution on the table, which motion was decided in the negative.

The question recurring upon the amendment offered by Mr. McClelland, it was, on motion of Mr. Cook, decided by yeas and nays, in the affirmative, as follows :

YEAS.

Mr. Adams,	Mr. Decker,	Mr. Montgomery,
Mr. Ball,	Mr. Gantt,	Mr. Pray,

Mr. Bement,
Mr. Buel,
Mr. Beaufait,
Mr. Bowman,
Mr. Buckbee,
Mr. Dorsey,
Mr. Doty,

Mr. Kent,
Mr. King,
Mr. Lancaster,
Mr. Levake,
Mr. McClelland,
Mr. Moran,

Mr. Poucher,
Mr. Risdon,
Mr. H. Smith,
Mr. Wixom,
Mr. Wadhamas,
Mr. Speaker,

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NAYS.

Mr. Butler,
Mr. Champlin,
Mr. Cook,
Mr. Cooley,
Mr. Crane,
Mr. Draper,
Mr. Gidley,

Mr. J. M. Howard,
Mr. J. Howard,
Mr. Hotchkiss,
Mr. Kellogg,
Mr. Lacey,
Mr. Lane,
Mr. Odell,

Mr. Payne,
Mr. Spafford,
Mr. Sheldon,
Mr. J. R. Smith,
Mr. Thompson,
Mr. Vickery,
Mr. Williams,

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The question being upon the adoption of the resolution as amended, it was decided in the affirmative.

Mr. Risdon gave notice that he should, at some future day, ask leave to bring in a bill to incorporate a company to be styled the "Brest and St. Joseph river canal company," for the purpose of constructing a navigable canal from the termination of the state survey of the St. Joseph river, in the county of Calhoun, by the Kalamazoo, Grand, Raisin and Saline rivers and Stony creek, to the harbor of Brest, in the county of Monroe.

The Chair announced a message from the Senate, in the words following :

Mr. SPEAKER : In pursuance of the rules of the Senate, I here-with transmit a resolution relative to appropriations by congress for the harbors at the mouth of the Clinton and Kalamazoo rivers, and the survey of the flats on Lake St. Clair, and a resolution relative to appropriations by congress for the harbors of St. Joseph and New Buffalo, which have passed the Senate, and in which the concurrence of the House of Representatives is respectfully requested.

The above resolutions were, according to rule, laid on the table for one day.

Mr. J. M. Howard gave notice that he would, at some future day, ask leave to bring in a bill entitled a bill to incorporate the Gibraltar and Flat Rock company, with power to render the

River Huron navigable from Flat Rock to Ypsilanti, by slack-water or otherwise.

On motion of Mr. Cook, the House adjourned until to-morrow morning ten o'clock.

Thursday, January 11.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Berry.

The roll being called, and the proceedings of yesterday having been read,

Mr. Buel presented a petition of sundry citizens and firemen of Detroit, praying the passage of a bill amendatory to an "Act relative to the city of Detroit and several amendatory acts thereto," which was on his motion referred to a select committee of three; whereupon the Chair announced Messrs. Buel, Cook and McClelland, as said committee.

Mr. Odell presented a petition for the relief of sundry inhabitants of the township of Penn, which was referred to the committee on university and school lands.

Mr. Risdon, from the committee on roads and bridges, to which was referred a petition from sundry inhabitants of the county of Kalamazoo, reported a bill entitled "A bill to amend the fifteenth section of an act entitled 'An act appointing commissioners to lay out and establish certain state roads,'" which was read a first and second times and laid upon the table.

Mr. Buel, from the committee on the judiciary, to which was referred the petition of James Roughan to change his name, reported a bill entitled "A bill to change the name of James Roughan to James Rowan," which was read a first and second times, and on his motion the sixteenth rule was suspended and said bill was ordered to be engrossed for a third reading.

The engrossed bill, entitled as above, was taken up for a third reading, and the question being upon its final passage, it was decided in the affirmative.

On motion of Mr. Buel, the resolution yesterday laid upon the table, relative to the outrages committed upon the steamer Caroline, was taken up for consideration and referred, on motion of

Mr. Gantt, to a select committee of three; whereupon the Chair announced Messrs. Gantt, Henry Smith and Levake.

Mr. Henry Smith offered the following preamble and joint resolution, and on his motion, the sixteenth rule was suspended, and said resolution was adopted, by yeas and nays, as follows:

YEAS.

Mr. Adams,	Mr. Doty,	Mr. Moran,
Mr. Ball,	Mr. Decker,	Mr. Montgomery,
Mr. Burke,	Mr. Draper,	Mr. Odell,
Mr. Bement,	Mr. Gantt,	Mr. Pray,
Mr. Buel,	Mr. J. Howard,	Mr. Payne,
Mr. Beaufait,	Mr. Hotchkiss,	Mr. Poucher,
Mr. Butler,	Mr. Kellogg,	Mr. Risdon,
Mr. Bowman,	Mr. Kent,	Mr. H. Smith,
Mr. Buckbee,	Mr. King,	Mr. Sheldon,
Mr. Champlain,	Mr. Lacey,	Mr. J. R. Smith,
Mr. Cook,	Mr. Lane,	Mr. Thompson,
Mr. Cooley,	Mr. Lancaster,	Mr. Wixom,
Mr. Crane,	Mr. Levake,	Mr. Williams,
Mr. Dorsey,	Mr. McClelland,	Mr. Wadham, 42

NAYS.

Mr. Gidley,	Mr. Spafford,	Mr. Speaker.
Mr. J. M. Howard,	Mr. Vickery,	5

Whereas, recent occurrences of an atrocious character, the assemblage of armed bodies of men on both sides of the boundary line separating the United States from Canada, the commission of high handed acts in violation of the laws of the United States by troops illegally armed and assembled; and the extraordinary state of excitement and exasperation manifested by the inhabitants, not only of Canada but of this state, render the presence of an efficient and competent force of the United States absolutely necessary on the frontier of this state; therefore,

Resolved by the Senate and House of Representatives of the State of Michigan, That the Governor of this state be, and he is hereby, requested without delay to apply to the President of the United States, that a force of at least two regiments of United States troops, with due proportion of artillery, may be ordered to the Canadian frontier of this state.

And further Resolved, That a copy of this resolution be forwarded to our senators and representative in congress, with the request of this legislature that they use all exertion to obtain a compliance with the said application.

On motion of Mr. Buel, the following preamble and resolution was adopted :

Whereas, it is the duty of the American people to keep in remembrance the virtues, the sacrifices, and the patriotism of the founders of American independence : And

Whereas, it has pleased Divine Providence to take from among us the Hon. James Witherell, one of the small number of the soldiers of the revolution left among us. And

Whereas the said James was conspicuous not only for his ardent patriotism in early life, but also for his service in the various offices which he has been called by his country to fill ; therefore,

Resolved, That in respect for the memory of the deceased, the House of Representatives will adjourn at an early hour, and that its members do attend at the funeral of the deceased, this day, at two o'clock, P. M.

On motion of Mr. Henry Smith,

Resolved, That a committee of three be appointed to make such change as may be deemed necessary, in the mode of warming this chamber.

On motion of Mr. Bement, the House adjourned until ten o'clock, to-morrow morning.

Friday January 12.

The House met pursuant to adjournment.

Prayer by the Rev. Mr.

The roll being called, the following members were absent ; Messrs. Beaufait and Levake.

The proceedings of yesterday having been read,

The Chair announced a message from the Senate, in the words following :

Mr. SPEAKER : In pursuance of the rules of the Senate, I here-with return the resolution relative to appropriations by Congress for certain harbors and light-houses, and the resolution relative to the completion of certain roads within this state by the general government, in which resolutions the Senate have concurred without amendment.

Mr. Thompson presented a petition from the inhabitants of

Lenawee, to amend an act entitled "An act for the organization of primary schools," which was referred to the committee on education.

Mr. Buel, from the committee on the judiciary, to whom was referred a petition from sundry inhabitants of the county of Washenaw, made the following report:

The committee on the judiciary, to whom was referred the petition of sundry inhabitants of Dexter and vicinity, in the county of Washtenaw, praying for the immediate passage of a law, securing to every human being in this state a trial by jury, in all cases where his or her liberty is in question, have had this subject under consideration, and beg leave to report:

That in the opinion of said committee, the right of trial by jury is amply secured to every citizen, both by the constitution of the United States, and the laws and constitution of this state, and no other law is needed, for more amply securing that right, than those which already exist.

All which is respectfully submitted.

A. W. BUEL,

Chairman of Committee on Judiciary.

Jan. 11, 1838.

Mr. Lancaster moved that the report be accepted, that the committee be discharged from further consideration of said petition, which was, on motion of Mr. Thompson, decided by yeas and nays, in the affirmative, as follows:

YEAS.

Mr. Adams,	Mr. Doty,	Mr. Risdon,
Mr. Ball,	Mr. Decker,	Mr. H. Smith,
Mr. Burke,	Mr. Gantt,	Mr. Sheldon,
Mr. Bement,	Mr. Kent,	Mr. Vickery,
Mr. Buel,	Mr. King,	Mr. Wakefield,
Mr. Butler,	Mr. Lancaster,	Mr. Wixom,
Mr. Bowman,	Mr. Moran,	Mr. Wadham,
Mr. Champlin,	Mr. Pray,	Mr. Speaker,
Mr. Crane,	Mr. Poucher,	
Mr. Dorsey,		

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NAYS.

Mr. Cook,	Mr. J. Howard,	Mr. Odell,
Mr. Cooley,	Mr. Hotchkiss,	Mr. Payne,
Mr. Charter,	Mr. Kellogg,	Mr. Spafford,
Mr. Draper,	Mr. Lacey,	Mr. J. R. Smith,

Mr. Gidley,	Mr. Lane,	Mr. Thompson,
Mr. J. M. Howard,	Mr. Montgomery,	Mr. Williams,

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Mr. Ball moved a reconsideration of the vote taken upon the acceptance of the above report, and the discharge of the committee, which was decided in the affirmative.

Mr. Lancaster moved that the committee be discharged from the further consideration of said petition, which was decided in the negative.

On motion of Mr. McClelland, said petition was recommitted to the committee on the judiciary.

Mr. Bement, from the committee on banks and incorporations, made the following report, which was accepted :

The committee to whom was referred the resolution relative to the amount and value of real estate, given by the banks under the general banking law, respectfully report, that in the opinion of this committee, it is inexpedient to make any amendment in the law to which said resolution refers, and your committee pray to be discharged from the further consideration of the resolution.

R. B. BEMENT, *Chairman.*

January 10, 1838.

Mr. Risdon, from the committee on roads and bridges, reported a bill entitled "A bill authorizing the commissioners of highways of the town of Hamtramck, to loan a certain sum of money," also a bill entitled "A bill appointing commissioners to lay out and establish certain state roads," also a bill entitled "A bill to authorize the commissioners of highways of the town of Athens, to alter a certain state road," agreeably to sundry petitions referred to said committee, which were severally read the first and second times and laid upon the table.

Mr. Lacy, from the committee on unfinished business, made the following report :

The committee on unfinished business, to whom was referred a resolution adopted on the ninth instant, instructing said committee to report to this House the unfinished business of the last session, if any there be, requiring the action of this House, respectfully report :

That your committee have received from the clerk of this House, such unfinished business of last session as was in his pos-

session, and on examination thereof, have found nothing, which in the opinion of your committee, requires the action of this House, except it may be "A bill for the relief of D. Pittman," which bill is herewith reported:

Your committee further report, that they called on the commissioner appointed to revise the laws, and requested information as to the time he would be prepared to report the remainder of the code, and received from him, in reply, the accompanying communication.

[See Document No. 7.

All of which is respectfully submitted.

E. LACEY,
Chairman.

Detroit, Jan. 11, 1838.

The bill entitled as above for the relief of D. Pittman, was read the first and second times and laid upon the table.

On motion of Mr. Butler, the joint resolution from the Senate, relative to appropriations by congress for the improvement of the harbor at the mouth of the Clinton river, in Macomb county, the survey of the Flats at or near the mouth of St. Clair river, and harbor at the mouth of Kalamazoo river, was taken up for consideration, read a third time and passed.

Mr. Wadham presented a petition from David Mansfield and others, for the organization of township six north, of range fourteen east, which was referred to the committee on organization of towns and counties.

On motion of Mr. Henry Smith,

Resolved, That the committee on the judiciary, be instructed to enquire into the propriety of declaring the charter of the company for the construction of the bridge across the Huron river, in the counties of Wayne and Monroe, forfeited and null.

On motion of Mr. Gidley,

Resolved, That a committee be appointed to consist of one from each senatorial district in this state, that are represented in this House, upon so much of the constitution of this state, as requires the present legislature to apportion anew the representatives and senators among the several counties and districts according to the number of white male inhabitants, and that said

committee be instructed to report at as early a day as practicable.

Whereupon, the Chair announced Messrs. Gidley, Moran, Montgomery, Wixom and Lacy, as said committee.

On motion of Mr. Gantt,

Resolved, That the select committee to whom was referred the petition of the citizens of Detroit, be and are hereby directed to report by bill or otherwise, their opinion of the justness and practicability of exempting all firemen in Michigan from military duty and from serving as jurors.

On motion of Mr. Buel, the House resolved itself into a committee upon the bill entitled "A bill relative to interest on contracts," and after some time spent therein, the committee rose, and through their chairman reported the bill to the House with sundry amendments, which were concurred in, and said bill was ordered to be engrossed for a third reading.

Mr. Bement asked and obtained leave of absence for Mr. Buckbee, for one week.

Mr. Montgomery asked and obtained leave of absence for Mr. McClelland, until Monday next.

Mr. Wakefield asked and obtained leave of absence for Mr. Wixom, until Monday next.

On motion of Mr. Crane, the House adjourned, until ten o'clock to-morrow morning.

Saturday, January 13.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Berry,

Roll called,

The proceedings of yesterday having been read,

Mr. Buel presented sundry petitions from the inhabitants of the southern counties of this state praying for a review of the southern railroad route, and moved their reference to a select committee of five.

Mr. Montgomery presented a petition of sundry inhabitants

from the county of Monroe, of similar import, and moved a similar reference.

Mr. Lancaster moved to lay the petition on the table, which was, on motion of Mr. Henry Smith, decided by yeas and nays, in the affirmative, as follows :

YEAS.		
Mr. Adams,	Mr. Doty,	Mr. Moran,
Mr. Ball,	Mr. Decker,	Mr. Pray,
Mr. Bement,	Mr. Draper,	Mr. Poucher,
Mr. Beaufait,	Mr. J. M. Howard,	Mr. Thompson,
Mr. Cooley,	Mr. Hotchkiss,	Mr. Wakefield,
Mr. Crane,	Mr. Kellogg,	Mr. Wadham,
Mr. Charter,	Mr. Kent,	Mr. Speaker,
Mr. Dorsey,	Mr. Lancaster,	24
NAYS.		
Mr. Burke,	Mr. King,	Mr. H. Smith,
Mr. Buel,	Mr. Lacy,	Mr. Spafford,
Mr. Butler,	Mr. Lane,	Mr. Sheldon,
Mr. Bowman,	Mr. Levake,	Mr. J. R. Smith,
Mr. Champlin,	Mr. Montgomery,	Mr. Vickery,
Mr. Cook,	Mr. Odell,	Mr. Williams,
Mr. Gidley,	Mr. Risdon,	20

Mr. Bement presented a petition from E. B. Danforth and others, from the county of Ingham, praying for the organization of township two north, of range one west, also a petition praying for the organization of the county of Ingham.

Mr. Crane presented a petition to organize township four north, of range six east.

Mr. Odell presented a petition to organize township six, range thirteen west, in the county of Cass, which were severally referred to the committee of towns and counties.

Mr. Risdon presented a petition for the appointment of commissioners to lay out a certain state road, which was referred to the committee on roads and bridges.

Mr. Bement, from the committee on banks and incorporations made the following report, which was accepted.

The committee on banks and incorporations to whom was referred a resolution "relative to the equalization of taxes upon lands," have had the same under consideration and respectfully report : That this committee have much business before them, and ask of the House that the resolution be referred to the appro-

priate committee and that they be discharged from further consideration of the said resolution, which report was accepted and the committee discharged.

Mr. Risdon, from the committee on roads and bridges, to which was referred the petition of A. D. Fitzhugh and E. A. LeRoy, reported a bill entitled "A bill to authorize the building of a certain dam therein named," which was read a first and second times and laid on the table.

Mr. Adams, from the committee on internal improvement, made the following report :

The committee on internal improvement, which was instructed to inquire into the propriety of reducing the number of the board of internal improvement, respectfully report : That they deem it inexpedient to reduce the number of said board, and ask to be discharged from the further consideration of the subject.

R. McCLELLAND, *Chairman.*

Mr. Henry Smith moved that the subject be recommitted, with instructions for the committee on internal improvement to report a bill to reduce the board of internal improvement to four commissioners, one of whom shall act as auditor, with the Governor of the state as ex-officio president of said board.

And to report a further clause in said bill, providing for the appointment of the engineers and assistant engineers in the service of the state, by the Governor, by and with the advice and consent of both houses of the legislature.

On motion of Mr. Moran, said report was laid upon the table.

Mr. Crane, from the committee on internal improvements, made the following report, which was accepted.

The committee on internal improvements, to whom was referred the petitions of the citizens of the county of St. Joseph, praying for the incorporation of a company to be styled "The Northville and White Pigeon railroad company," respectfully report, that they have had under consideration said petitions, and having concluded that the subject matter of the same did not come within the sphere of action of said committee, but belonged to the committee on banks and incorporations, they therefore ask leave to be discharged from the further consideration of the said petitions.

R. McCLELLAND, *Chairman.*

On motion of Mr. Adams, said petition was referred to the committee on banks and incorporations.

Mr. J. M. Howard, from the committee on education made the following report :

HOUSE OF REPRESENTATIVES, }
January 13, 1838. }

The committee on education, to whom was referred the resolution "that the act incorporating the Michigan and Huron institute, be so amended as to authorize the president of the board of trustees to convey real estate belonging to said institution, having had said resolution under consideration, and being informed that the places of residence of said trustees are so distant from each other and from the location of said institute, as to render very inconvenient and expensive the execution of deeds and conveyances by said trustees jointly, have the honor to report the following bill, entitled "An act to enable the president of the board of trustees of the Kalamazoo institute to sell and convey real estate," and respectfully recommend that the same be passed.

J. M. HOWARD,

Chairman of Committee on Education.

The bill entitled as above, was read a first and second times and laid upon the table.

Mr. Odell offered the following resolution, which, on motion of Mr. Gidley, was laid upon the table.

Resolved, That no person hereafter obtaining leave of absence, shall draw pay during his absence, unless in cases of sickness.

Mr. Champlin offered the following resolution,

Whereas, a large proportion of the freeholders of the southern and western sections of this state, have by petitions asked for a review of the intermediate points of the southern railroad as established by the commissioners ; therefore,

Resolved by the Senate and House of Representatives by joint resolution, That the acting commissioner be and he is hereby required to suspend all operations on said road until further instructed by the legislature.

On motion of Mr. Spafford, the rule was suspended and said resolution was taken up for consideration.

Mr. Crane moved to lay said resolution on the table, which was negatived.

The question being upon the adoption of the resolution, it was, on motion of Mr. Henry Smith, decided by yeas and nays, in the affirmative, as follows:

YEAS.

Mr. Adams,	Mr. Doty,	Mr. Montgomery,
Mr. Burke,	Mr. Decker,	Mr. Odell,
Mr. Bement,	Mr. Gidley,	Mr. Pray,
Mr. Buel,	Mr. J. M. Howard,	Mr. Poucher,
Mr. Beaufait,	Mr. Kellogg,	Mr. Risdon,
Mr. Butler,	Mr. Kent,	Mr. Spaiford,
Mr. Bowman,	Mr. King,	Mr. Sheldon,
Mr. Champlin,	Mr. Lacey,	Mr. J. R. Smith,
Mr. Cook,	Mr. Lane,	Mr. Vickery,
Mr. Cooley,	Mr. Levake,	Mr. Williams,
Mr. Dorsey,	Mr. Moran,	Mr. Speaker, 33

NAYS.

Mr. Ball,	Mr. Draper,	Mr. Thompson,
Mr. Crane,	Mr. Hotchkiss,	Mr. Wakefield,
Mr. Charter,	Mr. Lancaster,	Mr. Wadham, 9

The Chair announced a message from the Senate, in the words following :

Mr. SPEAKER—In pursuance of the rules of the Senate, I here-with transmit a resolution relative to certain documents apper-taining to a bill from the House of Representatives, entitled “A bill to change the name of James Roughan, to James Rowan,” and a resolution relative to appropriations by congress for harbors at the mouths of North and South Black rivers, which has passed the Senate, and in which the concurrence of the House of Representatatives is respectfully requested.

On motion of Mr. Risdon, the rule was suspended, and the resolution from the Senate relative to appropriations by congress for harbors at the mouths of North and South Black rivers, was taken up for consideration.

On motion of Mr. King, said resolution was amended by adding the words “also for the construction of piers and a beacon light at the harbor of Michilimackinac.”

On motion of Mr. Levake, said resolution was further amended by adding the words “also for the construction of a light-house

at the mouth of the Ste. Marie's river, and also for the removing the bar in Lake George, in the straits of Ste. Marie.

On motion of Mr. Sheldon, said resolution was further amended by adding the words "and also for the construction of a light-house and improvement of the harbor at Brest."

On motion of Mr. Lancaster, said resolution was further amended by adding the words "also for the construction of a light-house at New Buffalo." The resolution as amended was then read the third time and passed.

Mr. Buel, from the select committee to which was referred the petition of sundry citizens and firemen of Detroit, reported a bill entitled "A bill relative to firemen," which was read a first and second times and laid on the table.

On motion of Mr. Gidley, the House adjourned until Monday morning at ten o'clock.

Monday, January 15.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Thompson.

The roll being called, the following members were absent: Messrs. Dorsey and J. R. Smith.

The proceedings of Saturday having been read,

Mr. Thompson asked and obtained leave of absence for Mr. Dorsey, indefinitely.

Mr. King asked and obtained leave of absence for Mr. J. R. Smith, indefinitely.

Mr. Butler presented a petition from sundry inhabitants of Macomb county, praying for a state road from Mount Clemens to James Florence, in Armada, running through the towns of Macomb and Ray, which was referred to the committee on roads and bridges.

Mr. Lane presented a petition for the organization of a town in the county of Macomb, to be called Richmond.

Mr. Thompson presented a petition from sundry inhabitants of the township of Lenawee, to change the name of said township to that of Madison, which petitions were severally referred to the committee on the organization of towns and counties.

The bill heretofore ordered to be engrossed, entitled "A bill relative to interest on contracts," was taken up for a third reading.

Mr. Wixom moved to lay the bill upon the table, which motion was negatived.

The engrossed bill was then read the third time and passed.

Mr. Lane offered the following resolution, which was, on motion of Mr. Gantt, laid on the table.

Resolved, That the clerk of this House be requested to furnish to each member of this House a copy of the present general banking law of this state, in a pamphlet form.

Mr. Decker moved a reconsideration of the vote taken upon the adoption of the resolution relative to a suspension of operations on the southern railroad route, which was negatived.

The following communication was received from the Executive:

To the House of Representatives:

In obedience to the provisions of the act to provide for a geological survey of the state, approved Feb. 23, 1837, I transmit to the legislature, a statement of the expenditures on account of the geological survey for the year 1837.

STEVENS T. MASON.

January 15, 1838.

(See Document No. 8.)

The statement received through the Executive, was, on motion of Mr. J. M. Howard, referred to the select committee to which so much of the Governor's message as relates to the state geological survey was referred.

Mr. J. M. Howard moved that the petitions, laid upon the table on Saturday, relative to a review of the location of the southern railroad route, be taken up and referred to a select committee of five.

Mr. Wakefield moved to amend the motion by referring said petitions to the committee on internal improvement, which motion was negatived.

Mr. Thompson moved to lay said petitions on the table, which was negatived.

The question recurring upon the reference to a select commit-

tee of five, it was, on motion of Mr. Thompson, decided by yeas and nays, in the affirmative, as follows:

YEAS.

Mr. Burke,	Mr. Doty,	Mr. Odell,
Mr. Bement,	Mr. Gidley,	Mr. Pray,
Mr. Buel,	Mr. J. M. Howard,	Mr. Payne,
Mr. Beaufait,	Mr. Kellogg,	Mr. Poucher,
Mr. Butler,	Mr. Kent,	Mr. Risdon,
Mr. Bowman,	Mr. King,	Mr. Spafford,
Mr. Champlin,	Mr. Lacey,	Mr. Sheldon,
Mr. Cook,	Mr. Lane,	Mr. Vickery,
Mr. Cooley,	Mr. Moran,	Mr. Williams,
Mr. Crane,	Mr. Montgomery,	

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NAYS.

Mr. Adams,	Mr. Gant,	Mr. Wakefield,
Mr. Ball,	Mr. Hotchkiss,	Mr. Wixom,
Mr. Carter,	Mr. Lancaster,	Mr. Wadham,
Mr. Decker,	Mr. Thompson,	Mr. Speaker,
Mr. Draper,		

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Whereupon the Chair announced Messrs. Buel, Kellogg, Doty, Dorsey and Vickery as said committee.

Mr. J. M. Howard presented sundry petitions from the inhabitants of St. Clair, Macomb, Oakland, Lapeer and Genesee, and moved their reference to the above named committee.

Mr. Lancaster moved to amend the motion by referring said petitions to the committee on internal improvement, which motion was negatived.

Mr. Wakefield moved to lay said petitions on the table, which was negatived.

The question recurring on the reference, it was decided in the affirmative.

Mr. Spafford presented sundry petitions from the inhabitants of the counties of Lenawee and Hillsdale, in relation to the southern railroad route.

Mr. Lane presented a petition asking for a review of the location of the southern and northern railroad routes, which was referred to the above named select committee.

Mr. J. M. Howard presented a memorial from the president and directors of the St. Clair and Romeo railroad company, praying a review of the location of the southern railroad route, which was referred to the above named select committee.

Mr. Payne offered the following joint resolution:

Resolved by the Senate and House of Representatives of the State of Michigan, That the acting commissioner on the northern railroad be and he is hereby required to suspend all operations on said road until further instructed by the legislature.

The above resolution was read a first and second times, and according to rule, was laid on the table for one day.

On motion of Mr. Cook, the rule was suspended and said resolution was taken up for consideration.

Mr. Wakefield moved to amend said resolution by adding the words, "and also the acting commissioners on all other railroad routes within the limits of this state."

Mr. Henry Smith moved to amend the amendment by adding the words "except on the central route east of Ypsilanti," the mover accepted the amendment and the question was decided in the negative.

The question recurring on the adoption of the resolution, it was, on motion of Mr. Gidley, decided by yeas and nays in the affirmative, as follows:

YEAS.

Mr. Burke,	Mr. J. M. Howard,	Mr. Payne,
Mr. Buel,	Mr. Kellogg,	Mr. Poucher,
Mr. Beaufait,	Mr. Kent,	Mr. Risdon,
Mr. Butler,	Mr. King,	Mr. H. Smith,
Mr. Bowman,	Mr. Lacey,	Mr. Spafford,
Mr. Champlin,	Mr. Lane,	Mr. Sheldon,
Mr. Cook,	Mr. Levake,	Mr. Vickery,
Mr. Cooley,	Mr. Moran,	Mr. Williams,
Mr. Doty,	Mr. Montgomery,	Mr. Speaker,
Mr. Gidley,	Mr. Odell,	

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NAYS.

Mr. Adams,	Mr. Draper,	Mr. Thompson,
Mr. Ball,	Mr. Gant,	Mr. Wakefield,
Mr. Crane,	Mr. Hotchkiss,	Mr. Wixom,
Mr. Charter,	Mr. Lancaster,	Mr. Wadham,
Mr. Decker,	Mr. Pray,	

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Mr. Bement offered the following resolution, which was, on motion of Mr. King, laid on the table:

Resolved, That the committee on internal improvement be discharged from any further consideration of subjects relating to internal improvements.

Mr. Cook presented a claim of C. C. Douglass against the state, for locating school lands, which was referred to the committee on claims.

On motion of Mr. Moran,

Resolved, That the select committee to whom was referred sundry petitions, praying the legislature to review the location of the northern and southern railroad routes, be and they are hereby empowered to send for persons and papers for the purpose of this investigation.

On motion of Mr. Lane, the House adjourned until to-morrow morning, at ten o'clock.

Tuesday, January 16.

The House met pursuant to adjournment.

Prayer by the Rev. Mr.

The roll having been called, and

The journal of yesterday having been read,

Mr. McClelland presented a petition from sundry inhabitants of the township of Erie in the county of Monroe, praying that said township be authorized to collect and retain the rents accruing from the school lands in that township, previous to the passage of the "Act authorizing the sale of school lands," which was referred to the committee on university and school lands.

Mr. Gidley presented a petition from Harvey Russel, praying for an appropriation to him for services rendered the state in supporting the supremacy of the laws, which was referred to the committee on claims.

Mr. Draper presented a petition from the inhabitants of La-
peer county for the location of a seminary in the town of Hadley,
and praying for an act of incorporation, which was referred to the
committee on education.

Mr. Champlin presented a petition from sundry inhabitants of the counties of Calhoun and Hillsdale, praying for the passage of a law authorizing commissioners to lay out a certain state road, which was referred to the committee on roads and bridges.

Mr. Lancaster presented a petition from the inhabitants of Centerville in the county of St. Joseph praying for the organization

of a township to be called "Center township," which was referred to the committee on the organization of towns and counties.

Mr. Lancaster presented a petition from sundry inhabitants of the county of St. Joseph, praying that the southern railroad as located by the board, in the city of Monroe, on the 29th day of November, and at Detroit on the 9th day of December, A. D., 1837, may not in any way be altered, which was, on his motion, referred to the committee on banks and incorporations.

Mr. J. M. Howard, from the committee on education, made the following report, which was accepted:

HOUSE OF REPRESENTATIVES, }
Jan. 16, 1838. }

The committee on education, to whom was referred the petition of sundry persons in Adrian, praying an amendment of the act to provide for the organization and support of common schools, in respect to the mode of collecting taxes upon non-resident lands and the sale and redemption thereof, having had the same under consideration, respectfully report:

That in their opinion, the amendment proposed by the petitioners, if adopted, would operate partially and with undue severity in regard to such lands, and would, by the brevity of the notice preceding the sale, become a fruitful source of litigation, a result to be avoided by every enlightened system of legislation. And the committee ask to be discharged from the further consideration of the subject, which report was accepted and the committee discharged.

J. M. HOWARD, *Chairman.*

Mr Kellogg offered the following joint resolution, which was read a first and second times and according to rule, was laid upon the table for one day:

Resolved by the Senate and House of Representatives of the State of Michigan, That for the encouragement of the growth of sugar beet and the making of sugar from beets, the state of Michigan grant a bonus of per pound for each and every pound manufactured in the said state, for the ensuing years.

On motion of Mr. Kellogg, the rule was suspended and said resolution was taken up for consideration.

Mr. Kellogg moved to fill the first blank with the words "two cents," pending which motion,

Mr. J. M. Howard moved to refer it to the committee on agriculture, which motion was decided in the affirmative.

Mr. McClelland asked the House to excuse him from acting on the committee of internal improvement, which the House refused to do.

Mr. Gantt offered the following resolution, which was referred to the committee on banks and incorporations.

Whereas, no paper currency can obtain for itself permanency or character while subject to continual changes in the charter of banking institutions, and whereas a tinkering with the currency of any state is detrimental to the whole state; therefore,

Resolved, That it is inexpedient to alter or amend the "general banking law" of this state during the present session of the legislature.

Mr. J. M. Howard offered the following joint resolutions, which were read the first and second time and laid upon the table and ordered to be printed.

[See Bill No. 10.]

Mr. Gantt offered the following resolution :

Resolved, That two be added to the select committee to whom was referred the petitions on the subject of the northern and southern railroad, and that one be appointed from the north, and the other from the south.

Mr. Moran moved to lay said resolution on the table, which was decided by yeas and nays, in the affirmative, as follows :

YEAS.

Mr. Burke,	Mr. Gidley,	Mr. Odell,
Mr. Buel,	Mr. J. M. Howard,	Mr. Pray,
Mr. Beaufait,	Mr. Kellogg,	Mr. Payne,
Mr. Butler,	Mr. King,	Mr. Poucher,
Mr. Bowman,	Mr. Lacy,	Mr. Spaiford,
Mr. Champlin,	Mr. Lane,	Mr. Vickery,
Mr. Cook,	Mr. Levake,	Mr. Williams,
Mr. Cooley,	Mr. Moran,	Mr. Speaker,
Mr. Draper,		

NAYS.

Mr. Adams,	Mr. Gantt,	Mr. J. R. Smith,
Mr. Ball,	Mr. Hotchkiss,	Mr. Sheldon,
Mr. Bement,	Mr. Kent,	Mr. Thompson,
Mr. Crane,	Mr. Lancaster,	Mr. Wakefield,
Mr. Charter,	Mr. McClelland,	Mr. Wixom,
Mr. Doty,	Mr. Montgomery,	Mr. Wadham,
Mr. Decker,	Mr. Risdon,	

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Mr. Crane moved to take up the resolution yesterday laid upon the table relating to discharging the committee on internal improvement from the further consideration of subjects relating to internal improvement, and the question being "would the House consider the resolution," it was decided in the negative.

The Chair announced a message from the Senate in the words following :

Mr. SPEAKER—In pursuance of the rules of the Senate, I herewith return a resolution from the House of Representatives, relative to the stationing of certain United States troops along the frontier of this state, with sundry amendments made thereto by the Senate ; I also herewith transmit a resolution relative to unsold public lands within the several states, which has passed the Senate, in which amendments and resolution the concurrence of the House of Representatives is respectfully requested.

The joint resolution, with the amendments made thereto by the Senate, was taken up for consideration, and the question being upon concurring in the amendments, it was decided by yeas and nays, in the affirmative, as follows :

YEAS.

Mr. Adams,	Mr. Doty,	Mr. Montgomery,
Mr. Ball,	Mr. Decker,	Mr. Odell,
Mr. Burke,	Mr. Draper,	Mr. Pray,
Mr. Bement,	Mr. Gidley,	Mr. Payne,
Mr. Buel,	Mr. Gantt,	Mr. Poucher,
Mr. Beaufait,	Mr. Hotchkiss,	Mr. Risdon,
Mr. Butler,	Mr. Kellogg,	Mr. H. Smith,
Mr. Bowman,	Mr. Kent,	Mr. Sheldon,
Mr. Champlin,	Mr. Lacey,	Mr. Thompson,
Mr. Cook,	Mr. Lane,	Mr. Wakefield,
Mr. Cooley,	Mr. Lancaster,	Mr. Wixom,
Mr. Crane,	Mr. McClelland,	Mr. Williams,
Mr. Charter,	Mr. Moran,	Mr. Speaker,

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NAYS.

Mr. J. M. Howard, Mr. Spafford, Mr. Vickery, 3

The joint resolution from the Senate, relative to unsold public lands within the several states, was read a first and second times, and according to rule, laid upon the table for one day.

On motion of Mr. Butler, the rule was suspended, and said resolution was read a third time and passed.

The Chair announced the following communication from the Executive, which, together with the accompanying report, was referred to the committee on education.

[See Document No. 9.]

To the House of Representatives:

I herewith transmit to the House of Representatives, a report from the Superintendent of Public Instruction, embracing a list of state lands which may be released to private claimants, without detriment to the public interests. So far as this release can be made without injury to the fund under the charge of the Superintendent of Public Instruction, there can be no question that the individual claimants should receive the protection of the legislature. And as the release of the state locations can only be effected through the instrumentality of an act of congress, I would suggest that application be made for the passage of such an act, leaving the whole subject open to the review of the state authorities.

STEVENS T. MASON.

January 16, 1838.

On motion of Mr. Cook, the House resolved itself into a committee of the whole, Mr. McClelland in the chair, upon the bill entitled "A bill authorizing the commissioners of highways of the town of Hamtramck to loan a certain sum of money," and after some time spent therein, the committee rose, and through their chairman reported the bill to the House with an amendment, which was concurred in.

Said bill was then ordered to be engrossed for a third reading.

The engrossed bill, entitled as above, was taken up, read the third time and passed.

On motion of Mr. Howard, the House resolved itself into a committee of the whole, Mr. Gidley in the chair, upon a bill entitled "A bill to enable the board of trustees of the Kalamazoo

literary institute to sell and convey real estate," and after some time spent therein, the committee rose and through their chairman reported the bill to the House with sundry amendments, which were concurred in.

Said bill was then ordered to be engrossed for a third reading.

The engrossed bill, entitled as above, was then read the third time and passed.

On motion of Mr. Spafford, the House resolved itself into a committee of the whole, Mr. King in the chair, upon a bill entitled "A bill to amend the fifteenth section of an act entitled 'An act appointing commissioners to lay out and establish certain state roads,'" and after some time spent thereon, the committee rose, and through their chairman, reported the bill to the House without amendment.

Said bill was then ordered to be engrossed for a third reading.

The engrossed bill, entitled as above, was then read the third time and passed.

On motion of Mr. Risdon, the House resolved itself into a committee of the whole, Mr. Adams in the chair, upon a bill entitled "A bill to authorize the commissioners of highways of the town of Athens, to alter a certain state road," and after some time spent therein, the committee rose, and through their chairman reported progress, and asked and obtained leave to sit again.

On motion of Mr. Bement, the following resolution, heretofore laid upon the table, was taken up and adopted.

Resolved, That the clerk of this House be requested to furnish to each member of this House, a copy of the present general banking law of this state, in pamphlet form.

Mr. Moran, from the committee on ways and means, made the following report, which was accepted.

The committee of ways and means, to whom was referred the resolution instructing them "to inquire into the state of the finances," would respectfully report that the committee have no further information to make to the House than is already submitted by the different reports, made by the Auditor of the state and the State Treasurer, and would respectfully ask to be discharged from the further consideration of the subject.

C. MORAN, *Chairman.*

Mr. Crane moved a reconsideration of the vote taken to refer sundry petitions, praying a review of the northern and southern railroad route to a select committee, which was negatived.

On motion of Mr. Moran, the House adjourned until ten o'clock to-morrow morning.

Wednesday, January 17.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Thompson.

The roll having been called, the following members were absent: Messrs. Risdon, Poucher.

The journal of yesterday having been read,

Mr. Bement asked and obtained leave of absence for Mr. Poucher, for the remainder of this week.

Mr. Wakefield presented a petition, praying that township five north, of range seven east, be set off into a separate township.

The Chair presented sundry petitions from inhabitants of the county of Ingham, which petitions were severally referred to the committee on the organization of towns and counties.

On motion of Mr. Hotchkiss,

Resolved, That a committee of two be appointed, to call on the board of commissioners of internal improvement and request them to report to this House.

Whereupon the Chair announced Messrs. Hotchkiss and Crane, as said committee.

Mr. Crane offered the following resolution:

Resolved, That the committee on banks and incorporations be instructed to enquire into the expediency of so amending the revised code, as to make it unlawful for any person, company or corporation to hereafter issue anew, any bill or note evidently intended for circulation, of a less denomination than one dollar, or for any person or persons after the sixteenth day of May next, to issue, pass or offer to pass within this state, any note, check or bank bill or any other paper currency of a less denomination than one dollar.

Mr. J. M. Howard moved to amend the resolution by inserting before the word "corporation," the word "moneyed."

Mr. Butler moved to lay the resolution on the table, which was decided in the affirmative.

Mr. Cooley gave notice that he should at some future day bring in a bill to repeal so much of the act of April 17, 1833, "regulating highways," which limits the amount of labor required to be performed by one person in any one year, to fifty days.

Mr. Gantt, from the select committee to which was referred a resolution relative to the reported outrage committed by British subjects upon the steamer Caroline and massacre of a portion of its crew, made the following report :

The select committee to whom was referred the resolution offered by Mr. Buel, of Wayne, on the subject of the late massacre at Schlosser, in the state of New York, having calmly investigated the facts pertaining and connected with that outrage, would respectfully report said resolution back to the House without amendment.

SAMUEL N. GANTT,
HENRY A. LEVAKE,
H. SMITH.

The question being upon the adoption of the resolution,

Mr. McClelland moved to lay said resolution upon the table, which was, on motion of Mr. Gantt, decided by yeas and nays, in the affirmative, as follows:

YEAS.

Mr. Adams,	Mr. J. M. Howard,	Mr. Payne,	23
Mr. Burke,	Mr. Kellogg,	Mr. Spafford,	
Mr. Champlin,	Mr. King,	Mr. Thompson,	
Mr. Cook,	Mr. Lacey,	Mr. Vickery,	
Mr. Crane,	Mr. Lancaster,	Mr. Williams,	
Mr. Charter,	Mr. McClelland,	Mr. Wadham,	
Mr. Draper,	Mr. Montgomery,	Mr. Speaker,	
Mr. Gidley,	Mr. Odell,		

NAYS.

Mr. Ball,	Mr. Cooley,	Mr. Levake,
Mr. Bement,	Mr. Doty,	Mr. Moran,
Mr. Buel,	Mr. Decker,	Mr. H. Smith,
Mr. Beaufait,	Mr. Gant,	Mr. Sheldon,
Mr. Butler,	Mr. Hotchkiss,	Mr. Wakefield,
Mr. Bowman,	Mr. Lane,	Mr. Wixom,

On motion of Mr. Lancaster,

Resolved, That the select committee to whom was referred

sundry petitions, from the southern and northern portions of the state, complaining of the action of the board of commissioners of internal improvements, in the location of the railroads through said portions, be and are hereby required to present to this House accompanying the report to be made upon the matters aforesaid, all documentary evidence to them submitted in support of the charges set forth in said petitions, and also all documentary evidence in defence of the conduct of said board, in said locations ; and that all verbal evidence given in support of said petitions, and in defence of the conduct of said board, shall be carefully reduced to writing by said committee, and also presented.

On motion of Mr. Wakefield,

Resolved, That the special committee to whom were referred certain petitions, praying alterations at different points of the present location of the northern and southern railroad routes, be instructed to report to this House, as soon as practicable, what changes are asked by the petitions.

On motion of Mr. Henry Smith, the resolution and report heretofore laid upon the table, relating to the reduction of the board of internal improvement, was taken up for consideration, and the question being upon recommitting said resolution and report to the committee on internal improvement, with instructions to report a bill to reduce the number of the board to four commissioners,

Mr. Cook moved to amend the instructions by striking out four and inserting three.

Mr. McClelland moved to amend the instructions by striking out four and inserting five.

The question being upon the adoption of the amendment, it was decided in the negative.

The question being upon the amendment.

Mr. Wakefield moved to lay the resolution and report on the table, which was decided in the affirmative.

The Chair announced a message from the Senate, in the words following :

Mr. SPEAKER—In pursuance of the rules of the Senate, I here-with transmit a resolution relative to the adoption of joint rules

for the two houses of the legislature, which has passed the Senate, and in which the concurrence of the House of Representatives is respectfully requested.

The above resolution was, according to rule, read the first and second times, and laid upon the table for one day.

On motion of Mr. McClelland, the rule was suspended, and the resolution was read the third time and passed.

Mr. Bement, from the committee on banks, made the following report :

The committee on banks, to whom was referred a petition from sundry inhabitants of Allegan, respectfully report : That they have acted upon the subject, and beg leave to present the accompanying bill.

R. B. BEMENT, *Chairman.*

The bill entitled "A bill to incorporate the village of Allegan," was read the first and second times, and laid upon the table.

On motion of Mr. Buel, the House resolved itself into committee of the whole, Mr. Henry Smith in the chair, upon the bill entitled "A bill relative to firemen," and after some time spent thereon, the committee rose, and through their chairman, reported the bill to the House with sundry amendments, which were concurred in.

On motion of Mr. McClelland, said bill was amended by restoring the word "jury," as originally printed in section five.

A committee from the Senate was announced, who informed the House of Representatives that the Hon. John S. Barry had been elected president pro tem. of the Senate.

On motion of Mr. Butler, the House adjourned until ten o'clock to-morrow morning.

Thursday, January 18.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Thompson.

The roll having been called, and

The proceedings of yesterday having been read,

Mr. Crane presented a petition for the organization of township

four north, of range five east, which was referred to the committee on towns and counties.

Mr. Bement presented a petition from the inhabitants of Dexter, praying for the incorporation of said village, which was referred to the committee on banks and incorporations.

Mr. Montgomery presented sundry petitions from the inhabitants of the city and county of Monroe, praying for a review of the southern railroad route, which were referred to a select committee of five, heretofore appointed by the Chair.

Mr. J. M. Howard presented a petition from E. Ingersoll, praying for the passage of an act granting him the exclusive privilege of keeping a ferry on Grand river, on section three in town four north, and range three west, which was referred to the committee on roads and bridges.

Mr. Buel, from the select committee to which was referred sundry petitions relative to the location of the northern and southern railroad routes, and who were, by a resolution instructed to report to this House, what changes were asked by the petitioners, reported in accordance with their instructions, which was laid upon the table and ordered to be printed.

[See Document No. 10.]

Mr. Buel, from the judiciary committee, made the following report, which was accepted and the committee discharged from the further consideration of the subject :

The committee on the judiciary, who were instructed by a certain resolution to inquire into the propriety of declaring the charter of the company for the construction of the bridge across the Huron river, in the counties of Wayne and Monroe, forfeited and null, respectfully report :

That they have had the same under consideration, and while it does not appear to said committee that the legislature have power to repeal the said charter, they would also deem it inexpedient to do so, were such power reserved.

All which is respectfully submitted.

A. W. BUEL,
Chairman of the Com. on Judiciary.

Jan. 18, 1838.

Mr. Hotchkiss, from the committee appointed to wait upon the board of internal improvement and request them to report to this House, reported that they had performed the duty, and received for answer, that the board would in all probability report to-morrow.

Mr. McClelland offered the following joint resolution, which was read the first and second times, and according to rule, laid upon the table for one day.

Resolved by the Senate and House of Representatives of the State of Michigan, That the Attorney General be and he is hereby instructed to commence legal proceedings against those interested in the toll bridge over the River Huron of Lake Erie, for the violation of an act entitled "An act authorizing the building of a toll bridge over the River Huron of Lake Erie, in the territory of Michigan," unless within thirty days from the passage of this resolution, those interested put or cause to be put in repair the necessary causeways leading to and from the said bridge, in pursuance of said act.

Resolved, That the Attorney General cause to be served on those interested in said bridge, as soon as may be, a copy of the foregoing resolution.

On motion of Mr. McClelland, the rule was suspended and the above resolution was taken up for consideration, and read the third time and passed.

On motion of Mr. McClelland,

Resolved, That the committee on the judiciary, be instructed to inquire into the expediency of conferring jurisdiction on justices of the peace in actions against corporations and executors and administrators, where the matters in controversy do not exceed one hundred dollars, and report by bill or otherwise.

On motion of Mr. Kellogg,

Resolved, That all standing and special committees, hereafter reporting any bill or resolution to this House, shall state whether there has been any action on the subject, and if any, the nature of the same, in the revision of the laws as revised by the last legislature.

On motion of Mr. McClelland,

Resolved, That a select committee of three be appointed to

examine the revised laws passed at the late session of the legislature, and report what action by the present legislature is necessary in the premises.

Resolved, That all the subjects which may be proposed for the consideration of the present legislature, and which have been acted upon by the last legislature, be referred to said committee, so that they may examine the revised laws already passed, and report whether any provisions are therein contained covering the subjects referred to them.

Whereupon the Chair announced Messrs. McClelland, J. M. Howard, and Butler as said committee.

On motion of Mr. Gantt,

Resolved, That the committee on banks and incorporations be instructed to inquire into and report to this House, whether the late amendments to the general bank law were passed by a constitutional majority.

On motion of Mr. Kellogg,

Resolved, That the committee on printing be instructed to report to-morrow, the precise time when the manual will be finished, also other printing already ordered.

On motion of Mr. Crane, the resolution heretofore laid upon the table, relative to the circulation of small notes, was taken up for consideration, and the question being upon inserting the word "moneyed," previous to the word "corporation," the yeas and nays were called for by one-fifth of the members, when it was decided in the affirmative, by yeas and nays, as follows :

YEAS.

Mr. Adams,	Mr. Gidley,	Mr. Montgomery,
Mr. Ball,	Mr. Gantt,	Mr. Odell,
Mr. Buel,	Mr. J. M. Howard,	Mr. Payne,
Mr. Beaufait,	Mr. J. Howard,	Mr. H. Smith,
Mr. Butler,	Mr. Kellogg,	Mr. Spafford,
Mr. Bowman,	Mr. Kent,	Mr. Sheldon,
Mr. Champlin,	Mr. Lacey,	Mr. Thompson,
Mr. Cook,	Mr. Lancaster,	Mr. Vickery,
Mr. Cooley.	Mr. Levake,	Mr. Williams,
Mr. Charter,	Mr. McClelland,	Mr. Wadham,
Mr. Decker,	Mr. Moran,	

NAYS.

Mr. Burke,	Mr. Draper,	Mr. Risdon,
Mr. Bement,	Mr. Hotchkiss,	Mr. Wixom,
Mr. Crane,	Mr. Pray,	Mr. Speaker,
Mr. Doty,		

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Mr. Gidley moved to postpone indefinitely the further consideration of said resolution, which was decided in the negative.

The resolution as amended was then adopted.

Mr. Cooley, according to leave granted, brought in a bill entitled "A bill to amend an act entitled 'An act to regulate highways," which was read the first and second times, and on motion of Mr. Risdon, referred to the above named select committee.

On motion of Mr. J. M. Howard, the resolutions "concerning banking associations," heretofore laid upon the table, were taken up for consideration.

Mr. Gantt moved to lay the resolutions upon the table, the yeas and nays being called for by one-fifth of the members, it was decided in the negative, by yeas and nays, as follows:

YEAS.

Mr. Ball,	Mr. Levake,	Mr. Sheldon,
Mr. Bowman,	Mr. Pray,	Mr. Wakefield,
Mr. Gantt,	Mr. Payne,	Mr. Wixom,
Mr. Kent,		

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NAYS.

Mr. Adams,	Mr. Draper,	Mr. Moran,
Mr. Burke,	Mr. Gidley,	Mr. Montgomery,
Mr. Buel,	Mr. J. M. Howard,	Mr. Odell,
Mr. Beaufait,	Mr. J. Howard,	Mr. Risdon,
Mr. Butler,	Mr. Hotchkiss,	Mr. H. Smith,
Mr. Champlin,	Mr. Kellogg,	Mr. Spaiford,
Mr. Cook,	Mr. King,	Mr. Thompson,
Mr. Cooley,	Mr. Lacey,	Mr. Vickery,
Mr. Crane,	Mr. Lane,	Mr. Williams,
Mr. Charter,	Mr. Lancaster,	Mr. Wadham,
Mr. Doty,	Mr. McClelland,	Mr. Speaker,
Mr. Decker,		

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Mr. Crane moved to amend the first resolution by striking out all after the word "state," in the third line, to the word "be," in line seven, which was negatived.

Mr. Ball moved to amend the first resolution by inserting after

the word " required," in line eight, the words " and the presidents and cashiers of all other banks be requested," which was negatived.

Mr. Crane moved to amend the joint resolution by striking out the words " fifteenth day of January," and inserting the words " first day of February," the yeas and nays having been called for by one fifth of the members, it was decided in the negative, by yeas and nays, as follows :

YEAS.

Mr. Adams,
Mr. Ball,
Mr. Burke,

Mr. Crane,
Mr. Decker,
Mr. Risdon,

Mr. Sheldon,
Mr. Wakefield,
Mr. Wixom,

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NAYS.

Mr. Bement,
Mr. Beaufait,
Mr. Butler,
Mr. Bowman,
Mr. Champlin,
Mr. Cook,
Mr. Cooley,
Mr. Charter,
Mr. Doty,
Mr. Draper,
Mr. Gidley,
Mr. J. M. Howard,

Mr. J. Howard,
Mr. Hotchkiss,
Mr. Kellogg,
Mr. Kent,
Mr. King,
Mr. Lacey,
Mr. Lane,
Mr. Lancaster,
Mr. Levake,
Mr. McClelland,
Mr. Moran,

Mr. Montgomery,
Mr. Odell,
Mr. Pray,
Mr. Payne,
Mr. H. Smith,
Mr. Spafford,
Mr. Thompson,
Mr. Vickery,
Mr. Williams,
Mr. Wadham,
Mr. Speaker,

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On motion of Mr. Wakefield, said resolutions were laid on the table.

Mr. Wakefield offered the following joint resolution, which was read a first and second times, and according to rule laid on the table for one day :

Whereas, fears are entertained by many friendly to the present system of internal improvement, as now projected, that some portions of said works are intended to be abandoned by this legislature; therefore,

Resolved by the Senate and House of Representatives, That in the opinion of this legislature the faith of the state is virtually pledged to the completion of the entire works included within the scope of said system as now projected, and at as early a period as practicable, without any partiality to locality of routes ; and that it is not competent for the legislature to violate, in any way, the faith of the state, as plighted in this respect.

The Chair announced the following communication from the president of the board of internal improvement, which was read and laid on the table:

OFFICE OF INTERNAL IMPROVEMENT, }
Detroit, January 17, 1838. }

Gentlemen: I have the honor to acknowledge the receipt of a copy of a resolution passed this day, requesting the commissioners of internal improvement to report to the honorable the House of Representatives.

The board regret that events beyond their control have prevented their annual report being made, previous to this time.—The reports of the engineers employed on the survey of the St. Joseph, Kalamazoo and the Grand rivers, and on the canal and railroad from Mount Clemens to the mouth of the Kalamazoo river, have not yet been received. They are however nearly completed, and the report to your honorable body will be made on or before the twenty-second instant.

With great respect,
Your ob't servant,

J. BURDICK, President.

The Honorable L. Hotchkiss, and F. J. B. Crane, committee, House Representatives.

On motion of Mr. Gantt, the House adjourned until to-morrow at ten o'clock.

Friday, January 19.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Thompson.

The roll being called, and the proceedings of yesterday having been read,

Mr. King presented a petition from the inhabitants of township five and six north, range two east, in the county of Shiawassee, praying for the organization of said township, to be called Wheatland, and that the first town meeting be held at the house of Samuel Nichols, which was referred to the committee on the organization of towns and counties.

The Chair presented sundry petitions from the county of Ing-ham, relating to the county seat of said county, which were referred as above.

Mr. Buel, from the committee on the judiciary, to which was recommitted sundry petitions relative to right of trial by jury, reported and respectfully recommended the reference of said petitions to a select committee heretofore appointed by the Chair, to which was referred sundry petitions in relation to the annexation of Texas, and asked to be discharged from the further consideration of the subject, which report was accepted, and the committee discharged.

The question being upon the reference of said petitions as recommended, it was decided in the affirmative.

Mr. J. M. Howard, from the committee on education, to which was referred a communication from the Executive and Superintendent of Public Instruction, reported thereon, recommending their reference to the committee on university and school lands, and asked to be discharged from the further consideration of the subject, which report was accepted, and the committee discharged.

The question being upon the referring said message and communication as recommended above, it was decided in the affirmative.

Mr. Buel, from the select committee to which was referred a resolution relative to the loss of certain papers directed to the Speaker of this House, touching a contested election in the county of Cass, reported that they were unable to account for the loss of said papers, and therefore asked to be discharged from the further consideration of the subject, which report was accepted, and the committee discharged.

Mr. Vickery, from the select committee to which was referred sundry petitions relative to the annexation of Texas, reported a joint resolution in the words following, which was read a first and second times, and according to rule, laid upon the table for one day.

Whereas, in the opinion of the legislature, the annexation of Texas to the Union would be unnecessarily extending the territory of the United States, and create discontent, which might endanger the stability of the Union; therefore,

Resolved by the Senate and House of Representatives, That our senators in congress be instructed and our representative requested to vote against any measure which has for its object the annexation of Texas to the Union, for the reasons above stated.

Resolved, That it is unnecessary and inexpedient to express any opinion as to the constitutional power of Congress over slavery in the district of Columbia, or in the territories of the United States, or as to its power to prohibit the domestic slave trade.

Mr. Thompson gave notice that at some future day he should ask leave to bring in a bill to amend that part of the act to provide for the organization and support of primary schools, relating to the return and sale of the property against which taxes have been assessed.

On motion of Mr. Wakefield, the joint resolution relative to internal improvements, was taken up for a third reading.

Mr. Henry Smith moved to amend the resolution by inserting after the word "practicable," the words "preserving inviolate all points heretofore fixed by the legislature."

Mr. Buel moved to amend the amendment, by substituting the following preamble and resolution.

Whereas, fears are entertained by many friendly to the present system of internal improvement, that the northern and southern railroads are intended to be abandoned by this legislature; therefore,

Resolved by the Senate and House of Representatives, That in the opinion of this legislature the faith of the state is pledged for the completion of the northern and southern railroads, and at as early a period as practicable.

The question being upon the amendment to the amendment, the yeas and nays being desired by one-fifth of the members present, it was decided as follows:

YEAS.

Mr. Ball,	Mr. Hotchkiss,	Mr. Sheldon,
Mr. Buel,	Mr. Kent,	Mr. Thompson,
Mr. Beaufait,	Mr. King,	Mr. Wakefield,
Mr. Butler,	Mr. Lancaster,	Mr. Wixom,
Mr. Bowman,	Mr. McClelland,	Mr. Wadham,
Mr. Crane,	Mr. Pray,	Mr. Speaker,

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NAYS.

Mr. Adams,	Mr. Draper,	Mr. Moran,
Mr. Burke,	Mr. Gidley,	Mr. Montgomery,
Mr. Bement,	Mr. Gantt,	Mr. Odell,
Mr. Champlin,	Mr. J. M. Howard,	Mr. Payne,
Mr. Cook,	Mr. J. Howard,	Mr. Risdon,
Mr. Cooley,	Mr. Kellogg,	Mr. H. Smith,
Mr. Charter,	Mr. Lacey,	Mr. Spafford,
Mr. Dorsey,	Mr. Lane,	Mr. Vickery,
Mr. Doty,	Mr. Levake,	Mr. Williams, 27

The question recurring upon the amendment, it was decided in the affirmative.

Mr. Butler moved further to amend said resolution, by striking out all after the word "routes."

Mr. J. Howard moved to amend the amendment, by striking out all after the word "representatives," and inserting the following:

"That it is not the intention of the legislature to abandon the same, nor to pass any act infringing rights already vested."

The yeas and nays being desired by one-fifth of the members present, it was decided as follows :

YEAS.

Mr. Burke,	Mr. J. M. Howard,	Mr. Odell,
Mr. Bowman,	Mr. J. Howard,	Mr. Pray,
Mr. Champlin,	Mr. Kellogg,	Mr. Payne,
Mr. Cook,	Mr. King,	Mr. Spafford,
Mr. Cooley,	Mr. Lacey,	Mr. Vickery,
Mr. Doty,	Mr. Lane,	Mr. Williams,
Mr. Gidley,	Mr. McClelland,	Mr. Speaker, 21

NAYS.

Mr. Adams,	Mr. Dorsey,	Mr. Montgomery,
Mr. Ball,	Mr. Draper,	Mr. Risdon,
Mr. Bement,	Mr. Gantt,	Mr. H. Smith,
Mr. Buel,	Mr. Hotchkiss,	Mr. Sheldon,
Mr. Beaufait,	Mr. Kent,	Mr. Thompson,
Mr. Butler,	Mr. Lancaster,	Mr. Wakefield,
Mr. Crane,	Mr. Levake,	Mr. Wixom,
Mr. Charter,	Mr. Moran,	Mr. Wadham, 24

The question recurring upon the amendment, and the yeas and nays being desired by one-fifth of the members present, it was decided in the affirmative, as follows :

YEAS.

Mr. Ball,	Mr. Charter,	Mr. Levake,
Mr. Burke,	Mr. Dorsey,	Mr. McClelland,
Mr. Buel,	Mr. Doty,	Mr. Montgomery,
Mr. Beaufait,	Mr. Gidley,	Mr. Odell,
Mr. Butler,	Mr. Hotchkiss,	Mr. Pray,
Mr. Bowman,	Mr. Kent,	Mr. Thompson,
Mr. Champlin,	Mr. King,	Mr. Wadham,
Mr. Crane,	Mr. Lane,	Mr. Speaker, 24

NAYS.

Mr. Adams,	Mr. J. Howard,	Mr. H. Smith,
Mr. Bement,	Mr. Kellogg,	Mr. Spafford,
Mr. Cook.	Mr. Lacey,	Mr. Sheldon,
Mr. Cooley,	Mr. Lancaster,	Mr. Vickery,
Mr. Draper,	Mr. Moran,	Mr. Wakefield,
Mr. Gant,	Mr. Payne,	Mr. Wixom,
Mr. J. M. Howard,	Mr. Risdon,	Mr. Williams, 21

Mr. Spafford moved to lay the resolution on the table, the yeas and nays being desired by one-fifth of the members present, it was decided in the negative, as follows :

YEAS.

Mr. Beaufait,	Mr. J. M. Howard,	Mr. Odell,
Mr. Bowman,	Mr. J. Howard,	Mr. Pray,
Mr. Champlin,	Mr. Kellogg,	Mr. Payne,
Mr. Cook,	Mr. King,	Mr. Spafford,
Mr. Cooley,	Mr. Lacey,	Mr. Vickery,
Mr. Doty,	Mr. Lane,	Mr. Williams,
Mr. Gidley,	Mr. Moran,	20

NAYS.

Mr. Adams,	Mr. Draper,	Mr. Risdon,
Mr. Ball,	Mr. Gant,	Mr. H. Smith,
Mr. Burke,	Mr. Hotchkiss,	Mr. Sheldon,
Mr. Bement,	Mr. Kent,	Mr. Thompson,
Mr. Buel,	Mr. Lancaster,	Mr. Wakefield,
Mr. Butler,	Mr. Levake,	Mr. Wixom,
Mr. Crane,	Mr. McClelland,	Mr. Wadham,
Mr. Charter,	Mr. Montgomery,	Mr. Speaker,
Mr. Dorsey,		25

The question being upon the final passage of the resolution, the yeas and nays were desired by one-fifth of the members present, it was decided in the affirmative, as follows :

YEAS.

Mr. Adams,	Mr. Dorsey,	Mr. Montgomery,
Mr. Ball,	Mr. Doty,	Mr. Pray,
Mr. Burke,	Mr. Draper,	Mr. Risdon,
Mr. Bement,	Mr. Gantt,	Mr. H. Smith,
Mr. Buel,	Mr. Hotchkiss,	Mr. Spafford,
Mr. Beaufait,	Mr. Kent,	Mr. Sheldon,
Mr. Butler,	Mr. King,	Mr. Thompson,
Mr. Bowman,	Mr. Lane,	Mr. Wakefield,
Mr. Champlin,	Mr. Lancaster,	Mr. Wixom,
Mr. Crane,	Mr. Levake,	Mr. Wadhams,
Mr. Charter,	Mr. McClelland,	Mr. Speaker, 33

NAYS.

Mr. Cook,	Mr. J. Howard,	Mr. Odell,
Mr. Cooley,	Mr. Kellogg,	Mr. Payne,
Mr. Gidley,	Mr. Lacy,	Mr. Vickery,
Mr. J. M. Howard,	Mr. Moran,	Mr. Williams, 12

On motion of Mr. McClelland,

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of so amending the act for the filing and recording of wills proved without this territory, as to extend the provisions of said act to any will which may have been, or shall be proved in the district of Columbia, or in any of the territories of the United States, and to report by bill or otherwise.

On motion of Mr. Adams,

Resolved, That the clerk of this House be required to furnish the committee on the judiciary with a true copy of the ninety-fifth chapter of title one of part third of the revised laws, entitled "Of the supreme court," &c.; also, of the ninety-seventh chapter of the same title and part, &c. entitled "Of the circuit courts," &c.; and that said committee be instructed to report by bill or otherwise, the expediency of giving immediate force and effect to said laws.

On motion of Mr. McClelland, the resolutions concerning banking associations were taken up for consideration, and the question was upon striking out all after the word "operations," in line three, to the word "be," in line seven; pending which question,

On motion of Mr. Gantt, the House adjourned until Monday morning at ten o'clock.

Monday, January 22.

The House met pursuant to adjournment

Prayer by the Rev. Mr. Thompson.

The roll being called, there were absent, Messrs. Decker, Draper, Sheldon, Wakefield.

The proceedings of Friday having been read,

Mr. Wixom asked and obtained leave of absence for Messrs. Dorsey and Wakefield, for one day.

Mr. Gantt asked and obtained leave of absence for Mr. Decker, for one day.

Mr. Butler asked and obtained leave of absence for Mr. Sheldon, for one day.

Mr. McClelland presented a petition from sundry inhabitants of the county of Wayne, relative to the location of the northern railroad.

Mr. McClelland presented a remonstrance from three hundred and eighty-seven citizens of the county of Monroe against changing the location of the southern railroad.

Mr. Butler presented sundry petitions from inhabitants in the counties of St. Clair, Macomb, Lapeer, Oakland and Genesee, protesting against the location, and asking a review of the northern railroad, which petitions were severally referred to a select committee of five, heretofore appointed by the Chair.

Mr. Gidley presented a petition from A. Higsby and others, praying for the organization of township one south, of range two west.

Mr. Dorsey presented petitions praying for the organization of township number three south, of range six west, and number two south, of number seven west, which were severally referred to the committee on the organization of towns and counties.

Mr. J. M. Howard presented a petition from Mrs. Eliza Ann Owen, praying for the passage of an act authorizing her to transfer a certain lot, which was, on his motion, referred to the committee on the judiciary.

Mr. J. M. Howard, from the committee on education, to which the petition of the trustees of the Michigan college was referred, reported thereon, which report was read and laid on the table, also reported a bill entitled "A bill to incorporate the Michigan

college," which was read the first and second times and laid upon the table.

[See Document No. 11.]

Mr. Bement, from the committee on banks, to which was referred a communication from the State Treasurer, reported thereon, which was read and laid upon the table.

[See Document No. 12.]

Mr. Moran, from the committee on ways and means, to which was referred a resolution relating to taxing all lands alike without regard to improvements, reported, that no further legislation upon the subject was at present required, and asked to be discharged from the further consideration of the subject, which report was accepted, and the committee discharged.

Mr. Buel, from the committee on the judiciary, to which was referred a resolution relative to justices and the powers of justices of the peace and constables, reported, that provision was made in the revised code, and asked to be discharged from the further consideration of the subject, which report was accepted and the committee discharged.

[See Document No. 13.]

Mr. Buel, from the committee on the judiciary, to which was referred a resolution relative to non-specie paying banks, which have not accepted the terms of the suspension act, reported, that in their opinion no further legislation was at present required, and asked to be discharged from the further consideration of the subject, which report was accepted and the committee discharged.

The Chair announced the following communication :

To the Hon. SPEAKER

of the House of Representatives, State of Michigan.

Agreeable to the requisition of the act of the 22d March, 1837, relative to the state penitentiary, we respectfully transmit the enclosed report.

JACOB BEESON,
H. P. COBB,
H. STEVENS,

Commissioners.

Detroit, January 22, 1838.

Said report was laid upon the table, and ordered to be printed.

[See Document No. 14.]

Mr. Crane gave notice that at some future day, he should ask leave to bring in a bill allowing Livingston county the use of the Washtenaw county jail.

On motion of Mr. Buel,

Resolved, That the select committee upon the late revised code of laws, be instructed to report to this House, whether it contains any provision making judgments liens on real estate.

On motion of Mr. McClelland,

Resolved, That half-past nine o'clock in the morning be the standing hour of adjournment hereafter, unless otherwise ordered.

On motion, the House adjourned.

Tuesday, January 23.

The House met pursuant to adjournment.

The roll being called, there were absent: Messrs. Beaufait, Doty and J. Howard.

The proceedings of yesterday having been read,

Mr. Bement asked and obtained leave of absence for Mr. Doty for one day.

Mr. Kent presented a petition praying for the organization of town five south, of range five west, in the county of Branch, which was referred to the committee on the organization of towns and counties.

Mr. Lancaster presented sundry petitions from the county of St. Joseph, praying for an act to incorporate "The Mottville and White Pigeon railroad company," which was referred to the committee on banks and incorporations.

Mr. Buel, from the select committee on the geological survey, to which was referred an account of the state geologist, for the year 1837, reported that they had examined the vouchers and certificates accompanying the account, and were satisfied of its justness and correctness, and asked to be discharged from the further consideration of the subject, which report was accepted and the committee discharged.

The Chair announced the following communication :

OFFICE OF INTERNAL IMPROVEMENT,
Detroit, January 22, 1838.

To the Speaker of the House of Representatives:

SIR—I have the honor to transmit to the Hon. the House of Representatives, the annual report of the board of commissioners of internal improvement.

With great respect,
Your obedient servant,
J. BURDICK, President.

The annual report of the commissioners of internal improvement, as above transmitted, was laid upon the table and eight hundred copies ordered to be printed.

[See Document No. 15.]

On motion of Mr. Gantt, one hundred copies of the report of the commissioners appointed to locate a state penitentiary, were ordered to be printed.

The engrossed bill entitled "A bill relative to firemen," was taken up read the third time and passed.

Mr. Crane, according to leave granted, brought in a bill entitled "A bill to provide for the disposition of prisoners apprehended within the county of Livingston," which was read the first and second times and laid upon the table.

On motion of Mr. Risdon, the House resolved itself into committee of the whole, Mr. J. M. Howard in the chair, upon a bill entitled "A bill appointing commissioners to lay out and establish certain state roads," and after some time spent thereon, the committee rose, and through their chairman, reported the bill to the House with sundry amendments, which were concurred in. Said bill was ordered to be engrossed for a third reading.

The engrossed bill entitled as above, was then read the third time and passed.

On motion of Mr. Kellogg, the House resolved itself into committee of the whole, Mr. Montgomery in the chair, upon the bill entitled "A bill to incorporate the village of Allegan," also resumed the consideration of the bill entitled "A bill to authorize the commissioners of highways of the town of Athens, to alter a certain state road," and after some time spent thereon, the com-

mittee rose, and through their chairman reported progress, and asked and obtained leave to sit again.

Mr. Kellogg offered the following resolution, which was, on motion of Mr. Gantt, laid upon the table.

Resolved, That the committee on printing be instructed to report to-morrow, the precise time the House may expect at least fifty copies of the report of the commissioners of internal improvement.

On motion of Mr. McClelland, the House adjourned until two o'clock this afternoon.

AFTERNOON SESSION.

The House met pursuant to adjournment.

The roll being called,

On motion of Mr. Crane, the House took up for consideration the resolutions relative to banking associations, and the question being upon the amendment offered by Mr. Gantt, viz: to strike out all after the word "operations," in line three, to the word "be," in line seven,

Mr. McClelland moved to amend the amendment by inserting after the word "several," in line two, the word "banks," also to strike out all after the word "state," in line three, to the word "be," in line seven, which was decided in the affirmative.

On motion of Mr. Butler, said resolution was further amended by inserting after the twenty-sixth clause, the words,

27th. Whether thirty per centum of the capital stock of such association, was actually paid in, in specie, before such association commenced issuing its bills.

28th. If such per centum was so paid in, what has become of it, and if paid out, for what purpose.

29th. Whether such association, does or does not redeem its bills in specie when demanded at its counter, and if so, how long since.

30th. If such association does not redeem its bills in specie, whether it has or has not complied with the suspension act of the twenty-second of June, A. D. 1837.

Mr. Gantt moved to lay the resolution upon the table, which question was decided by yeas and nays, as follows:

Mr. Odell presented a petition from sundry inhabitants in the county of Cass, praying the immediate repeal of all laws in this state, which make any distinction among its inhabitants on account of color, which was, on motion of Mr. Odell, referred to the committee on Indian affairs.

Mr. Buel presented a petition from the Superintendent of Indian affairs, which was read and laid upon the table to be printed.

Mr. McClelland presented a petition from Jas. H. Lanman, asking an appropriation to assist him in the publication of the history of Michigan, which was referred to the committee on education.

On motion of Mr. Buel,

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of fixing by legal enactment the names of towns, either previous to their settlement, or their organization by the legislature.

On motion of Mr. J. Howard,

Resolved, That the Governor of this state be required to report to this House, with as little delay as possible, the quantity of ordnance, muskets, other arms and munitions of war, which the late territory and state of Michigan has received from the United States, on account of arms to which she is entitled under the law of Congress, for gradually arming the militia of the several states and territories. Also the quantity of ordnance, muskets, other arms and munitions of war, which this state has now in possession, the place where deposited, and their present state of preservation.

On motion of Mr. Wakefield,

Resolved, That the committee on the organization of towns and counties, be instructed to report to this House a bill to alter the name of the township of Painsville in the county of Oakland.

Mr. Butler offered the following resolution, which was, on his motion, laid upon the table :

Resolved, That the select committee heretofore appointed to examine and report to this House what action is necessary to be had on the revised code, be instructed to inquire into the expediency of amending an act entitled "An act for the regulation of internal improvement and for the appointment of a board of com-

missioners," so that the said board of commissioners shall be appointed by a joint vote of both branches of the legislature, without previous nomination by the Governor.

On motion of Mr. Hotchkiss,

Resolved, That the clerk of the House be instructed to publish so much of the revised statutes as relates to primary schools and roads and bridges, in the state paper and Daily Advertiser of this city.

On motion of Mr. Buel,

Resolved, That the committee on the review of the northern and southern railroad routes, be allowed to hold their sessions in the Hall of Representatives, when not occupied by the House.

On motion of Mr. Henry Smith, the resolution relative to reducing the board of internal improvement, heretofore laid upon the table, was taken up for consideration, and the question being upon striking out four and inserting three, as proposed by Mr. Cook,

Mr. McClelland moved to amend by striking out all after the second clause, which was decided by yeas and nays, as follows :

YEAS.

Mr. Adams,	Mr. Draper,	Mr. Moran,
Mr. Ball,	Mr. Goodman,	Mr. Montgomery,
Mr. Burke,	Mr. Gidley,	Mr. Odell,
Mr. Bement,	Mr. Gantt,	Mr. Pray,
Mr. Buel,	Mr. J. M. Howard,	Mr. Payne,
Mr. Beaufait,	Mr. J. Howard,	Mr. Poucher,
Mr. Butler,	Mr. Hotchkiss,	Mr. Risdon,
Mr. Bowman,	Mr. Kellogg,	Mr. Spafford,
Mr. Champlin,	Mr. Kent,	Mr. Thompson,
Mr. Cook,	Mr. King,	Mr. Vickery,
Mr. Cooley,	Mr. Lacey,	Mr. Wakefield,
Mr. Crane,	Mr. Lane,	Mr. Wixom,
Mr. Charter,	Mr. Lancaster,	Mr. Wadham,
Mr. Dorsey,	Mr. McClelland,	Mr. Speaker,
Mr. Decker,		

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NAYS.

Mr. Levake,	Mr. Sheldon,	Mr. Williams,
Mr. H. Smith,		

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Mr. Butler moved further to amend the amendment by striking out that part of instructions which would make the Governor of the state ex-officio president of the board.

Mr. Gantt moved to strike out all of the instructions.

Mr. Wakefield moved to lay the resolution upon the table, which was decided in the affirmative.

The Chair announced messages from the Senate, in the words following :

Mr. SPEAKER : In pursuance of the rules of the Senate, I here-with return the bills from the House of Representatives entitled "A bill to amend the fifteenth section of an act entitled 'An act appointing commissioners to lay out and establish certain state roads,' " and "A bill authorizing the commissioners of highways of the township of Hamtramck to loan a certain sum of money," which the Senate have passed without amendment.

Mr. SPEAKER—In pursuance of the rules of the Senate, I here-with return the resolution relative to suspending operations on the southern railroad route, with amendments made thereto by the Senate, in which the concurrence of the House of Representatives is respectfully requested : I also return without amendment the bill entitled "A bill to enable the board of trustees of the Kalamazoo literary institute to convey real estate," and the "resolution relative to the Huron river toll bridge."

The resolution relative to suspending operations on the southern railroad, with the amendment made thereto by the Senate, was taken up for consideration and the amendment concurred in.

On motion of Mr. McClelland, the House resumed in committee of the whole, Mr. Montgomery in the chair, the consideration of bill number three, entitled "A bill to authorize the commissioners of highways of the town of Athens, to alter a certain state road," also bill number eleven, entitled "A bill to incorporate the village of Allegan," and after some time spent therein, the committee rose and through their chairman reported the bills to the House with sundry amendments, which were concurred in.

Bill number three was then ordered to be engrossed for a third reading.

The rule being suspended, bill number three, entitled as above, was then read a third time and passed.

On motion of Mr. Cook, bill number eleven, entitled as above, was referred to the committee on banks and incorporations.

The Chair announced a message from the Senate, in the words following:

Mr. SPEAKER—In pursuance of the joint rules of the Senate and House of Representatives, I am instructed to inform the House of Representatives that the resolution from the House of Representatives entitled “A resolution relative to suspending operations on the northern railroad,” has been lost in the Senate on the question on ordering said resolution to third reading; I also herewith transmit resolutions, which have passed the Senate, entitled “Resolutions directing certain moneys to be received in payment of state taxes, and for other purposes,” in which the concurrence of the House of Representatives is respectfully requested.

The resolution directing certain moneys to be received for state taxes, and for other purposes, was, according to rule, laid on the table for one day.

Mr. Crane, according to leave granted, brought in a bill entitled “A bill to change the name of the village of Whitmanville.

Mr. Bement, from the committee on banks, reported a bill entitled “A bill to suspend an act entitled ‘An act to organize and regulate banking associations,’” and the act to amend the same, which was read the first and second time and laid upon the table.

On motion, the House resolved itself into a committee of the whole, Mr. Gantt in the chair, upon bill number nine, entitled “A bill to authorize the building of a certain dam therein named,” and after some time spent therein, the committee rose, and through their chairman, reported the bill to the House with sundry amendments, which were concurred in, and said bill was then ordered to be engrossed for a third reading.

On motion, the House adjourned.

Thursday, January 25.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Berry.

The roll having been called, there were absent, Messrs. Charter, Levake, Henry Smith, and Thompson.

The proceedings of yesterday having been read,
Mr. McClelland asked and obtained leave of absence for Mr. Henry Smith, until Monday next.

Mr. Hotchkiss asked and obtained leave of absence for Mr. Thompson, for one day.

Mr. Burke presented a petition relative to the southern railroad.

Mr. Lancaster presented a petition relative to the southern railroad. Said petitions were severally referred to the select committee of five heretofore appointed by the Chair.

Mr. Buel presented a petition from sundry inhabitants of the counties of Cass and Van Buren, praying the adoption of certain resolutions, which was, on his motion, referred to a select committee heretofore appointed by the Chair.

Mr. Wakefield presented a petition for a charter to construct a railroad from the county site of Lapeer county, to intersect the Detroit and Pontiac railroad at or near the village of Auburn, in the county of Oakland, which was referred to the committee on internal improvement.

Mr. J. Howard presented a petition from sundry inhabitants of Wayne county, for a state road from Gibraltar to Ypsilanti, which was referred to the committee on roads and bridges.

Mr. Butler presented a petition from sundry inhabitants of Romeo, in Macomb county, praying for an act of incorporation for the "Michigan institute," which was, on his motion, laid on the table.

Mr. McClelland, from the committee appointed to examine the revised code, and report whether it contained any provisions making judgments liens on real estate, reported that they found no such provision therein, which report was referred to the committee on the judiciary.

Mr. McClelland, from the committee to which was referred a bill to amend an act entitled "An act to regulate highways," reported that they had examined the revised code and that the amount of labor required to be performed by any person in any

one year, is not limited; therefore no further legislation was necessary: which report was laid upon the table.

Mr. Buel, from the committee on the judiciary, which was instructed to report as to the expediency of giving immediate force and effect to chapter ninety-five and ninety-seven of the revised laws, reported, that as said chapters form part of an entire code which is intended to go into operation on the first day of August next, they deem it inexpedient to give them immediate force and effect: which report was laid upon the table.

[See Document No. 16.]

Mr. Montgomery, from the committee on university and school lands, to which was referred a petition of the citizens of Penn, in the county of Cass, reported a bill entitled "A bill for the relief of the inhabitants of Penn township in the county of Cass," which was read the first and second times and laid upon the table.

Mr. Buel, from the committee on the judiciary, to which was referred a petition of sundry inhabitants of Vermontville, to legalize the proceedings of a meeting held in said township, reported adverse to the prayer of the petitioners, which report was laid upon the table.

[See Document No. 17.]

Mr. Gantt, from the committee on printing, which was instructed to report the terms of the printers and publishers for which they would do certain printing, reported thereon and presented communications from the several printers and publishers, which were read and referred back to the committee with instructions to draft a schedule showing the difference in the terms.

Mr. Riddon, from the committee on roads and bridges, to which was referred the petition of Erastus Ingersoll, relative to a ferry across Grand River, reported that provision was made in the revised statutes, directing county commissioners to regulate and grant licenses to maintain ferries in the several counties. They therefore asked to be discharged from the further consideration of the subject, which report was accepted, and the committee discharged.

[See Document No. 18.]

Mr. J. M. Howard, from the committee on enrolment, reported as correctly enrolled "A bill to amend the fifteenth section of

an act entitled, ‘ An act appointing commissioners to lay out and establish certain state roads,’ also, a joint resolution relative to suspending operations on the southern railroad.

Mr. Kellogg presented a petition from a convention held at Homer, on the 10th of January, 1838, praying the passage of a law for the slackening of the St. Joseph to Union city, and for the survey and location of a canal from that place to the Detroit river or Lake Erie, on such route as shall be most feasible and best for the great interest of the state, which petition was referred to the committee on internal improvement.

Mr. McClelland offered the following preamble and resolution, which was adopted.

The committee on the revised code, having examined the 117th chapter of the same, which relates to proceedings to foreclose and redeem mortgages, and deeming further legislation on the subject necessary, have instructed me to report the following resolution :

Resolved, That the clerk be directed to have published, chapter 117 of the revised statutes, for the use of the members.

On motion of Mr. Cook,

Resolved, That the judiciary committee be instructed to inquire into the propriety of providing by law, for the maintenance and support of state poor, also, provide for the prohibiting of any captain of a steamboat, schooner, or other water craft, or any other person, from landing within the limits of this state, (coming from any foreign state or country,) any pauper or poor person, unable to support themselves, under a penalty, &c., and report to this House by bill or otherwise.

Mr. Odell offered the following resolution, which was, on motion of Mr. Buckbee, laid upon the table.

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of so amending the law respecting the sale of lands for taxes, as to prohibit any such sale until after a judgment shall have been obtained against such lands, in some court of competent jurisdiction, and that they report to this House by bill or otherwise.

Mr. Butler presented a claim against the state, of one hundred dollars, for the detention of the steamboat Macomb, on the 8th

and 9th of January, 1838, which was, on his motion, referred to the committee on claims.

On motion, the House resolved itself into a committee of the whole, Mr. Bement in the chair, upon sundry resolutions from the Senate, relative to moneys to be received in payment for taxes; and after some time spent thereon, the committee rose, and through their chairman reported the same to the House with sundry amendments, which were concurred in; and said resolutions as amended were then read the third time and passed.

The engrossed bill entitled "A bill to authorize the building of a certain dam therein named," was taken up, read a third time and passed.

On motion, the House resolved itself into committee of the whole, Mr. Wakefield in the chair, upon bill number fourteen, entitled "A bill to change the name of the township of Lenawee, and the village of Whitmanville," also, bill number thirteen, entitled "A bill to provide for the disposition of prisoners apprehended within the county of Livingston," and after some time spent thereon, the committee rose, and through their chairman, reported the bill to the House with sundry amendments, which were concurred in.

Bill number thirteen, entitled as above, was on motion, referred to the committee on the judiciary, and bill number fourteen, entitled as above, was on motion, referred to the committee on the organization of towns and counties.

On motion, the House resolved itself into a committee of the whole, Mr. J. Howard in the chair, upon sundry joint resolutions, relative to the annexation of Texas, and after some time spent thereon, reported the same to the House without amendment.

The question being upon their passage, Mr. Ball called for a division of the question.

The question being upon the passage of the first resolution, it was decided, by yeas and nays, as follows:

YEAS.

Mr. Adams,
Mr. Burke,
Mr. Bement,

Mr. Draper,
Mr. Goodman,
Mr. Gidley,

Mr. Montgomery,
Mr. Odell,
Mr. Pray,

Mr. Buel,	Mr. Ganit,	Mr. Payne,
Mr. Beaufait,	Mr. J. M. Howard,	Mr. Poucher,
Mr. Butler,	Mr. J. Howard,	Mr. Spafford,
Mr. Bowman,	Mr. Hotchkiss,	Mr. Sheldon,
Mr. Buckbee,	Mr. Kellogg,	Mr. J. R. Smith,
Mr. Champlin,	Mr. Kent,	Mr. Thompson,
Mr. Cook,	Mr. Lacey,	Mr. Vickery,
Mr. Cooley,	Mr. Lane,	Mr. Wakefield,
Mr. Crane,	Mr. Lancaster,	Mr. Williams,
Mr. Dorsey,	Mr. McClelland,	Mr. Wadhams,
Mr. Decker,	Mr. Moran,	Mr. Speaker, 42

NAYS.

Mr. Ball,	Mr. Risdon,	Mr. Wixom,
Mr. King,		

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The question being upon the passage of the second resolution, it was decided, by yeas and nays, follows:

YEAS.

Mr. Adams,	Mr. Decker,	Mr. r. Moran,
Mr. Ball,	Mr. Draper,	Mr. Montgomery,
Mr. Burke,	Mr. Goodman,	Mr. Odell,
Mr. Bement,	Mr. Gidley,	Mr. Pray,
Mr. Buel,	Mr. Gantt,	Mr. Payne,
Mr. Beaufait,	Mr. J. M. Howard,	Mr. Poucher,
Mr. Butler,	Mr. J. Howard,	Mr. Risdon,
Mr. Bowman,	Mr. Kellogg,	Mr. J. R. Smith,
Mr. Champlin,	Mr. Kent,	Mr. Vickery,
Mr. Cook,	Mr. King,	Mr. Wakefield,
Mr. Cooley,	Mr. Lacy,	M. Williams,
Mr. Crane,	Mr. Lancaster,	Mr. W
Mr. Dorsey,	Mr. McClelland,	Mr. Speaker, 39

NAYS.

Mr. Buckbee,	Mr. Spafford,	Mr. Thompson,
Mr. Hotchkiss,	Mr. Sheldon,	Mr. Wixom,
Mr. Lane,		

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Mr. Butler gave notice, that at some future day, she should ask leave to bring in a bill to incorporate the "Michigan institute," in the county of Macomb.

Mr. Sheldon gave notice that he should, at some future day, ask leave to bring in a bill to incorporate the village of Utica.

Mr. Butler gave notice that, at some future day, he should ask

Leave to bring in a bill to incorporate the village of Romeo, in the county of Macomb.

On motion, the House adjourned.

Friday, January 26.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Berry.

The roll having been called, and

The journal of yesterday having been read,

Mr. J. Howard presented a petition from the stockholders of the Bank of Gibraltar, praying for the privilege of removing their money and papers from Gibraltar to the city of Detroit, and to transact business in that city, for the space of sixty days, which was, on his motion, laid upon the table.

Mr. Odell presented a petition from inhabitants of the county of Cass, asking for a review of the location of the southern railroad.

Mr. Lancaster presented a petition protesting against a review of the said location.

Mr. Hotchkiss presented a petition protesting against a review of the location of said route.

Mr. Thompson presented a petition protesting against any alteration in the southern railroad route; which petitions were severally referred to the committee heretofore appointed by the Chair, to which sundry petitions of a similar nature have been referred.

Mr. Pray presented a petition from Benajah Fall and others of Washtenaw, praying for the passage of a law authorizing them to convey certain lands, which was referred to the committee on the judiciary.

Mr. J. M. Howard presented a petition from John T. Blois, asking legislative aid in publishing a gazetteer of Michigan, which was referred to the committee on education.

Mr. Buckbee presented a petition from Anthony Cass, praying for a reassessment of damages occasioned by the building of the Detroit and St. Joseph railroad across certain premises therein named, which petition was referred to the committee on claims.

Mr. Bowman presented a petition from sundry inhabitants of

the counties of St. Joseph and Branch, for a state road from the village of Branch to intersect the state road leading from Coldwater to Constantine at or near Voorhies' mills, which petition was referred to the committee on roads and bridges.

Mr. J. M. Howard presented a memorial of the executive committee of the Michigan anti-slavery society, requesting the passage of a law which shall prevent future infractions of our constitution, and preserve our citizens from the danger of illegal deportation and bondage ; which was referred to a select committee of five, to which sundry petitions of a similar import have heretofore been referred.

Mr. J. M. Howard, from the committee on education, to which was referred a petition from the county of Lapeer, for the location of a seminary, reported adverse to the prayer of the petitioners and recommended that leave be granted to the petitioners to withdraw their petition, which report was accepted and the committee discharged.

[See Document No. 19.]

Mr. Buel, from the committee on the judiciary, to which was referred a petition to legalize the proceedings of a meeting held in the township of La Grange, in the county of Cass, reported, that they deemed any legislation upon the subject inexpedient ; said report was laid upon the table.

Mr. Buel, from the committee on the judiciary, to which was referred the petition of Mrs. Eliza Ann Owen, reported that they deemed it inexpedient to grant the prayer of the petitioner. The report was accepted and the committee discharged.

[See Document No. 20.]

Mr. Buel, from the committee on the judiciary, who were by a resolution instructed to inquire into the expediency of fixing by legal enactment the names of towns and counties, previous to their settlement or organization, respectfully reports :

That, in the opinion of the committee, the usual mode of affixing names to towns and counties by common consent, is preferable to the one mentioned in the resolution.

Mr. Montgomery, from the committee on university and school lands, to which was referred a petition from sundry inhabitants

of the township of Southfield, in the county of Oakland, reported adverse to the prayer of the petitioners and recommended that the petitioners have leave to withdraw their petition, which report was accepted and the committee discharged.

[*See Document No. 21.*]

Mr. Butler, from the select committee to which was referred so much of the Governor's message as relates to suspension of small bank notes within this state, reported thereon, which report was laid upon the table and ordered to be printed.

[*See Document No. 22.*]

Mr. Gantt, from the committee on printing, reported a schedule of prices from the several printers and publishers in the city, which was laid upon the table and ordered to be printed.

[*See Document No. 23.*]

The following message was received from the Executive, through C. C. Jackson, his private secretary :

To the Senate and House of Representatives:

I herewith transmit the annual report of the State Geologist.
STEVENS T. MASON.

January 26, 1838.

The annual report, as above transmitted, was, on motion of Mr. McClelland, laid upon the table and five hundred copies ordered to be printed.

[*See Document No. 24.*]

On motion of Mr. McClelland,

Resolved, That the committee on the judiciary, be instructed to inquire into the propriety of instructing our senators and requesting our representative in congress, to urge the abolishment of imprisonment for debt in all civil cases coming within the jurisdiction of the courts of the United States.

Mr. Buel offered the following resolution :

Resolved, That the Senate be and they are hereby respectfully requested to appoint a select committee of three, to join a committee already appointed on the part of the House, to whom the petitions of sundry citizens of this state have been referred, praying for a review of the location of the northern and southern railroad

routes, and an investigation of the proceedings of the board of internal improvement.

Mr. Crane moved to amend the resolution by striking out in line two, the word "appoint," and inserting the word "direct," also in third line the word "select," and insert "suitable," also to strike out the words "of three;" the mover accepted the amendment.

Mr. Butler moved to lay the resolution on the table, as the special order for Monday next, which was decided in the negative.

The question being on the final passage of the resolution, it was decided, by yeas and nays, in the affirmative, as follows:

YEAS.

Mr. Adams,	Mr. Dorsey,	Mr. Montgomery,
Mr. Burke,	Mr. Goodman,	Mr. Odell,
Mr. Buel,	Mr. J. M. Howard,	Mr. Pray,
Mr. Beaufait,	Mr. J. Howard,	Mr. Payne,
Mr. Butler,	Mr. Hotchkiss,	Mr. Poucher,
Mr. Bowman,	Mr. Kellogg,	Mr. Risdon,
Mr. Buckbee,	Mr. Kent,	Mr. Spafford,
Mr. Champlin,	Mr. King,	Mr. J. R. Smith,
Mr. Cook,	Mr. Lacey,	Mr. Vickery,
Mr. Cooley,	Mr. Levake,	Mr. Wixom,
Mr. Crane,	Mr. Moran,	Mr. Williams, 33

NAYS.

Mr. Ball,	Mr. Gantt,	Mr. Thompson,
Mr. Decker,	Mr. Lancaster,	Mr. Wakefield,
Mr. Draper,	Mr. McClelland,	Mr. Wadham,
Mr. Gidley,	Mr. Sheldon,	Mr. Speaker, 12

Mr. J. Howard offered the following joint resolution, which was read the first and second times, and according to rule, laid upon the table for one day.

Resolved by the Senate and House of Representatives of the State of Michigan, That the president and directors of the bank of Gibraltar are authorized to open an office in the city of Detroit, for the transaction of the business of said company, for the space of sixty days from and after the passage hereof.

The rule being suspended, the above resolution was taken up, read the third time and passed.

Mr. Buckbee offered the following joint resolution, which was read a first and second times and laid upon the table for one day.

Resolved, (the Senate concurring herein,) That the judiciary committee of both houses be requested to investigate the several powers and duties of justices of the peace, as the same are now established and defined by the laws of this state, and that said committee make such alterations and amendments as to them may seem necessary and proper, and report by bill or otherwise.

Mr. McClelland offered the following joint resolution, which was read a first and second times and laid upon the table for one day.

Resolved by the Senate and House of Representatives, That the committee in both Houses, to whom was referred the petitions for a review of the northern and southern railroads be instructed to join and aid each other in the investigation of the proceedings of the commissioners, in regard to the location of the same.

Mr. Decker asked and obtained leave of absence for Mr. Gantt, until Monday next.

Mr. Butler asked and obtained leave of absence for Mr. Lane, until Monday next.

On motion the House adjourned.

Saturday, January 27.

The House met pursuant to adjournment.

The roll having been called, there were absent, Messrs. Bement, Gantt and Risdon.

Prayer by the Rev. Mr. Berry.

The journal of yesterday having been read,

Mr. Kent asked and obtained leave of absence for Mr. Risdon until Tuesday.

Mr. Buckbee asked and obtained leave of absence for Mr. Bement for one week.

Mr. Sheldon asked and obtained leave of absence for Mr. Butler for one day.

Mr. Ball presented a petition from Elisha Newman and others, praying for the passage of a law authorizing them to construct a dam across Looking-glass river; which was referred to the committee on roads and bridges.

Mr. Draper presented sundry petitions relative to the northern railroad.

Mr. Lancaster presented a petition in relation to the southern railroad.

Mr. Thompson presented sundry petitions in relation to the southern railroad, which were severally referred to the select committee heretofore appointed by the Chair.

Mr. Dorsey presented sundry petitions for the organization of certain townships, which were referred to the committee on the organization of towns and counties.

Mr. Dorsey presented a petition from sundry inhabitants of the county of Calhoun, praying that provision be made by law for the appointment to examine and approve of such elementary books as shall be used in public schools, which was referred to the committee on education.

Mr. Decker presented a petition from the township of Commerce, in the county of Oakland, for a canal from the city of Detroit to the summit level of the Mount Clemens and Kalamazoo canal, to intersect the same at the township of Commerce; which was referred to the committee on internal improvement.

The Chair presented a petition for the organization of township two north, of range three east, in the county of Livingston, which was referred to the committee on the organization of towns and counties.

The Chair announced a message from the Senate, in the words following :

Mr. SPEAKER—In pursuance of the rules of the Senate, I here-with transmit a bill which has passed the Senate, entitled “A bill to incorporate the Lake Huron and Detroit railroad company,” in which the concurrence of the House of Representatives is respectfully requested.

The above bill having been read a first and second times, was referred to the committee on internal improvement.

The Chair announced a message from the Senate, in the words following :

Mr. SPEAKER—In pursuance of the rules of the Senate, I here-with transmit a resolution relative to a joint committee on the investigation in regard to the northern and southern railroad

routes, which has passed the Senate and in which the concurrence of the House of Representatives is respectfully requested.

The above resolution was read a first and second times, and according to rule, laid upon the table for one day. The rule being suspended, the resolution was taken up and considered, read the third time and passed.

On motion of Mr. Goodman, the following preamble and resolution was adopted.

Whereas, The state of Michigan, powerful in resources and in enterprise, as she is great in territory and fast increasing in population, is eminently qualified to excel in her agriculture, and in the wealth and intelligence of her husbandmen, and that it is therefore incumbent on her legislature, with the means now at their command, to call forth this new source of greatness, by a liberal provision for her agricultural and manufacturing improvement; therefore,

Resolved, That the committee on agriculture and manufactures, be instructed to report to this House the expediency of making appropriations for the promotion and advancement of the agricultural and manufacturing interest.

On motion of Mr. Wakefield,

Resolved, That the committee on the organization of towns and counties, be instructed to ascertain whether there is more than one organized township within this state, bearing the same name, and if so, to bring in a bill to change the same.

On motion of Mr. Moran,

Resolved, That the judiciary committee be instructed to enquire into the expediency of so amending the collection of state licenses to the end that no cost will be incurred by the state, in the prosecution of the same for their collection.

Mr. J. Howard gave notice that at some future day he should ask leave to bring in a bill to incorporate the village of Dearbornville.

Mr. Hotchkiss gave notice that he should, at some future day, ask leave to bring in a bill for the construction of a railroad from some point on the southern railroad, through the village of Medina, to a point where the territorial road crosses Bean creek, near Whitman's store.

On motion of Mr. Wakefield, the vote taken yesterday upon the passage of a resolution relative to a joint committee to investigate the located routes of the northern and southern railroads, was reconsidered, and the question being upon its final passage, Mr. McClelland moved to lay the resolution on the table, which was decided in the affirmative.

On motion of Mr. Gidley, the House resolved itself into a committee of the whole, Mr. Moran in the Chair, upon bill number sixteen, entitled "A bill for the relief of the inhabitants of Penn township, in the county of Cass," and after some time spent therein, the committee rose, and through their chairman reported the bill to the House without amendment, and said bill was then ordered to be engrossed for a third reading.

On motion of Mr. J. M. Howard, the resolution submitted by Mr. Odell yesterday, and laid upon the table, relative to lands sold for taxes, was taken up and adopted.

On motion, the House adjourned until Monday morning at half-past nine o'clock.

Monday, January 29.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Berry.

The roll being ~~being~~ called, and

The journal of Saturday having been read,

Mr. Kent presented a petition from sundry inhabitants of Branch, in relation to the southern railroad; Mr. Lancaster presented a petition from the inhabitants of New Buffalo, in relation to the same subject; Mr. Wadham presented sundry petitions on the same subject; which petitions were severally referred to the select committee heretofore appointed by the Chair.

Mr. Ball presented a petition from inhabitants of the township of Ionia, praying that township five of range eight west, be added to the township of Boston, which was referred to the committee on the organization of towns and counties.

Mr. Moran presented the late census of the city of Detroit,

from the common council, which was laid upon the table and ordered to be printed.

Mr. Crane, from the committee on the organization of towns and counties, to which was referred a petition from sundry inhabitants of the county of St. Joseph, praying for the organization of a new township from part of surveyed township number six of range ten west, and six south of eleven west, reported, that in their opinion sufficient reason was not adduced to warrant encroachment upon original surveyed township lines, and therefore inexpedient to grant the prayer of the petitioners, and ask to be discharged from the further consideration of the subject, which report was accepted.

Mr. Kellogg, from the select committee to which was referred so much of the Governor's message, as relates to donations of land from congress, reported thereon, and offered the following joint resolution, which was read the first and second times, and laid on the table for one day:

Resolved by the Senate and House of Representatives of the State of Michigan, That our senators in congress be directed and our representative in congress be requested to urge upon that body the claims alluded to in the foregoing report and ordinance, and obtain as prompt and favorable action thereon as is practicable.

The rule being suspended, said resolution was read the third time and passed.

Mr. Gidley, from the committee on agriculture and manufactures, to which was referred a resolution relative to the manufacture of sugar from the beet, reported thereon, accompanied by a bill entitled "A bill to encourage the manufacture of sugar from the beet," which was read the first and second times and laid upon the table.

Mr. J. Howard presented a petition from the inhabitants of Brownstown, to change the name of the village of Vreeland to that of Flat Rock; referred to the committee on the organization of towns and counties.

On motion of Mr. Sheldon,

Resolved, That the select committee on the revised code, be instructed to inquire into the propriety of reporting a bill requir-

ing the applicant in all cases of appeal from the decision of a justice of the peace to the circuit court, to pay all costs before the granting of said appeal.

Mr. J. M. Howard offered the following joint resolution, which was read the first and second times and laid upon the table for one day.

Resolved by the Senate and House of Representatives, That the Governor be and he is hereby requested to lay before the legislature an account of the disbursements and expenditures of all moneys drawn by him from the treasury of the late territory of Michigan, under the provisions of an act entitled "An act making a certain appropriation from the territorial treasury, to enable the executive to carry the laws of the late territory into effect," approved March 21, 1835; also, under the provision of an act entitled "An act to provide for the payment of expenses incurred in sustaining the supremacy of the laws of Michigan in the disputed territory," approved, August 24, 1835; also, that he be requested to inform the legislature, whether any sum of money had been borrowed by him under the provisions of an act entitled "An act to authorize a certain loan upon the credit of the territory of Michigan," approved on the day and year last aforesaid, authorizing Stevens T. Mason, then acting governor of said territory, to borrow the sum of three hundred and ten thousand dollars; and if borrowed, on what terms and what length of time, and whether said act is now in force; and also, that he be respectfully requested to lay before the legislature, a statement of the balance now remaining in his hands, of the contingent fund created and made subject to his order, by the act entitled "An act making appropriations for the year one thousand eight hundred and thirty-six, and for other purposes," approved, March 28, 1836, and by the third section of an act entitled "An act supplementary and in addition to an act entitled 'An act making an appropriation in part for the year one thousand eight hundred and thirty-six, and fixing the pay of the officers and members of the legislature,'" approved July 26, 1836; and also, by virtue of an act entitled "An act making appropriations for the year one thousand eight hundred and thirty-seven," approved, March 28, 1837; and any other information respecting said contingent fund, not inconsistent with the public interest.

On motion of Mr. Buel,

Resolved, That the committee on the revised code, be instructed to report so soon as practicable, what portion of the same, if any, conflicts with the immediate abolition of imprisonment for debt.

On motion of Mr. Thompson,

Resolved, That the committee on towns and counties, be requested to report to the House, bill number fourteen, as referred to them.

Mr. Crane from the committee on organization of towns and counties, to which was referred a bill entitled "A bill to change the names of the township of Lenawee and village of Whitmanville," reported the same to the House without amendment.

On motion, the House resolved itself into a committee of the whole, Mr. Gidley in the chair, upon bill number fourteen, entitled "A bill to change the name of the township of Lenawee, and the village of Whitmanville," and after some time spent therein, the committee rose, and through their chairman reported the same to the House without amendment, whereupon the said bill was ordered to be engrossed for a third reading.

The rule being suspended, the engrossed bill entitled as above were taken up, read a third time and passed.

The engrossed bill entitled "A bill for the relief of the inhabitants of Penn township, in the county of Cass," was taken up, read the third time and passed.

Mr. Cooley gave notice that he should, at some future day, ask leave to bring in a bill to incorporate the village of Kalamazoo.

Mr. Ball gave notice that at some future day he should ask leave to bring in a bill for the construction of a certain dam.

The following message was received from the Executive, through C. C. Jackson, esq. his private secretary :

To the House of Representatives :

I have this day approved and filed in the office of the Secretary of State, the following acts and resolutions, viz : " An act to amend the fifteenth section of an act entitled ' An act appointing commissioners to lay out and establish certain state roads ; ' " " An act to enable the president of the board of trustees of the Kalamazoo literary institute to sell and convey real estate ; " " An act

authorizing the commissioners of highways of the township of Hamtramck, to loan a certain sum of money ;" "A joint resolution relative to the southern railroad," and "A joint resolution relative to a toll bridge over River Huron of Lake Erie."

STEVENS T. MASON.

January 29, 1838.

On motion, the House adjourned.

Tuesday, January 30.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Berry.

The roll having been called, and

The proceedings of yesterday having been read,

Mr. J. M. Howard presented a petition from sundry colored inhabitants of the state of Michigan, praying that the right of suffrage be granted to the colored population of this state, which was referred to the select committee on Texian affairs, heretofore appointed by the Chair.

Mr. Ball presented a petition for the organization of a town in the county of Ionia. Referred to the committee on towns and counties.

Mr. Thompson presented a petition in relation to the location of the southern railroad, which was referred to the select committee of investigation.

Mr. McClelland, from the committee on internal improvement, to which was referred a petition of citizens from Oakland county, for a railroad, reported a bill entitled "A bill to incorporate the Auburn and Lapeer railroad company," which was read the first and second times and laid upon the table : also to which was committed the petition from the citizens of Oakland county for a canal from the city of Detroit to the Mt. Clemens and Kalamazoo canal, reported, that they deemed it inexpedient to grant the prayer of the petitioners, which report was accepted and the committee discharged from the further consideration of the subject ; also to which was referred the bill from the Senate, to incorporate the Lake Huron and Detroit railroad company, reported the same to

the House without amendment, which reports were severally accepted.

Mr. Buel, from the committee on the judiciary, to which was referred a petition from Benajah Fall and others, to convey certain lands, reported adverse to the prayer of the petitioner.

[See Document No. 25.]

Also to which was referred bill number thirteen, entitled "A bill to provide for the disposition of prisoners apprehended within the county of Livingston," reported the same to the House with sundry amendments; also which was instructed to inquire into the expediency of so amending the law for collecting state licenses, reported, that in their opinion, any legislation upon that subject is inexpedient, which reports were severally accepted.

Mr. Wakefield, from the minority of the committee on education, to which was referred a petition from John P. Cleveland and others, praying for the passage of a law incorporating the "Michigan college with powers to confer college honors and degrees," reported thereon, which was laid upon the table and ordered to be printed, together with the report of the majority of said committee heretofore laid upon the table.

[See Document No. 26.]

Mr. Butler offered the following resolution, which was, on his motion, laid on the table:

Resolved, That there be a committee appointed, to consist of one member from each senatorial district, to ascertain and report to this House the respective sums to be appropriated the ensuing year, for the several works of internal improvement, as the same has heretofore been projected in this state.

Mr. Cook offered the following resolution, which was, on his motion, laid upon the table:

Resolved, That the committee on banks and incorporations be instructed to inquire into the propriety of repealing or so modifying the general banking law, approved December 30, 1837, so that the same will read one commissioner in place of three, and by striking out all after the thirty-seventh section in said act, and report to this House by bill or otherwise.

Mr. Crane gave notice that at some future day he should ask

leave to introduce a bill prohibiting the circulation of any note or bill of a less denomination than one dollar.

Mr. Wakefield gave notice that at some future day he should ask leave to bring in a bill to incorporate "The Cadmean Seminary," to be located in the village of Hadley, and county of Lapeer.

Mr. McClelland gave notice that at some future day he should ask leave to bring in a bill to incorporate the Clinton salt works company, with certain privileges.

On motion of Mr. Crane, the bill to provide for the disposition of prisoners apprehended within the county of Livingston, with the amendments made thereto by the committee, was taken up for consideration and the amendments concurred in.

The question being upon the engrossment of the above bill, it was decided by yeas and nays, in the affirmative, as follows :

YEAS.

Mr. Adams,	Mr. Draper,	Mr. Odell,
Mr. Ball,	Mr. Goodman,	Mr. Pray,
Mr. Burke,	Mr. Gidley,	Mr. Payne,
Mr. Buel,	Mr. Hotchkiss,	Mr. Poucher,
Mr. Beaufait,	Mr. Kellogg,	Mr. H. Smith,
Mr. Butler,	Mr. Kent,	Mr. Spafford,
Mr. Bowman,	Mr. King,	Mr. J. R. Smith,
Mr. Champlin,	Mr. Lacy,	Mr. Thompson,
Mr. Cook,	Mr. Lane,	Mr. Vickery,
Mr. Cooley,	Mr. Lancaster,	Mr. Wixom,
Mr. Crane,	Mr. Levake,	Mr. Williams,
Mr. Dorsey,	Mr. McClelland,	Mr. Wadham,
Mr. Doty,	Mr. Moran,	Mr. Speaker,
Mr. Decker,	Mr. Montgomery,	

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NAYS.

Mr. Buckbee,

1

On motion, the following resolution, submitted by Mr. Butler, and laid upon the table on the 24th instant, was taken up and adopted :

Resolved, That the select committee heretofore appointed to examine and report to this House, what action is necessary to be had on the revised code, be instructed to inquire into the expediency of amending an act entitled "An act for the regulation of internal improvement and for the appointment of a board of com-

missioners," so that the said commissioners shall be appointed by joint vote of both branches of the legislature, without previous nomination by the Governor.

On motion of Mr. McClelland, the resolution heretofore laid upon the table, relative to reducing the number of the board of internal improvement, was taken up for consideration, and the question being upon striking out all the instructions as proposed by Mr. H. Smith, it was decided in the negative; the question recurring upon the amendment offered by Mr. Butler, viz: to strike out all that part of the instructions which makes the Governor ex-officio president of the board of internal improvement, it was decided in the affirmative.

Mr. Cook renewed his motion to strike out in the instructions the word "four," and insert "three," which was decided by yeas and nays in the negative, as follows:

YEAS.		
Mr. Beaufait,	Mr. J. Howard,	Mr. McClelland,
Mr. Butler,	Mr. Hotchkiss,	Mr. Odell,
Mr. Champlin,	Mr. Kellogg,	Mr. Payne,
Mr. Cook,	Mr. King,	Mr. Spafford,
Mr. Goodman,	Mr. Lacey,	Mr. Vickery,
Mr. Gidley,	Mr. Lane,	Mr. Williams,
Mr. J. M. Howard,	Mr. Levake,	Mr. Speaker, 21

NAYS.		
Mr. Adams,	Mr. Doty,	Mr. Poucher,
Mr. Ball,	Mr. Decker,	Mr. H. Smith,
Mr. Burke,	Mr. Draper,	Mr. Sheldon,
Mr. Buel,	Mr. Kent,	Mr. J. R. Smith,
Mr. Bowman,	Mr. Lancaster,	Mr. Thompson,
Mr. Buckbee,	Mr. Moran,	Mr. Wakefield,
Mr. Cooley,	Mr. Montgomery,	Mr. Wixom,
Mr. Crane,	Mr. Pray,	Mr. Wadham,
Mr. Dórcsey,		25

Mr. Henry Smith moved to amend the instructions by adding after the word "auditor," the words "who shall not vote nor act except as auditor, unless during the absence of one of the other commissioners, and in case of such absence then the said auditor shall become a voting member of the board."

Mr. Buckbee moved to lay the resolution on the table, which was decided by yeas and nays, in the negative, as follows:

YEAS.

Mr. Burke,
Mr. Beaufait,
Mr. Buckbee,
Mr. Crane,
Mr. Decker,
Mr. Draper,

Mr. Goodman,
Mr. Hotchkiss,
Mr. Kent,
Mr. Lancaster,
Mr. Levake,
Mr. Moran,

Mr. Poucher,
Mr. Thompson,
Mr. Wakefield,
Mr. Wixom,
Mr. Wadhams,

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NAYS.

Mr. Adams,
Mr. Buel,
Mr. Butler,
Mr. Bowman,
Mr. Champlin,
Mr. Cook,
Mr. Cooley,
Mr. Dorsey,
Mr. Doty,
Mr. Gidley,

Mr. J. M. Howard,
Mr. J. Howard,
Mr. Kellogg,
Mr. King,
Mr. Lacey,
Mr. Lane,
Mr. McClelland,
Mr. Montgomery,
Mr. Odell,

Mr. Pray,
Mr. Payne,
Mr. H. Smith,
Mr. Spafford,
Mr. Sheldon,
Mr. J. R. Smith,
Mr. Vickery,
Mr. Williams,
Mr. Speaker,

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The question recurring upon the amendment of Mr. H. Smith, was decided by yeas and nays, in the affirmative, as follows :

YEAS.

Mr. Adams,
Mr. Burke,
Mr. Beaufait,
Mr. Butler,
Mr. Bowman,
Mr. Champlin,
Mr. Dorsey,
Mr. Goodman,
Mr. Gidley,

Mr. J. Howard,
Mr. Kellogg,
Mr. King,
Mr. Lacey,
Mr. Lane,
Mr. Levake,
Mr. McClelland,
Mr. Montgomery,
Mr. Odell,

Mr. Pray,
Mr. Payne,
Mr. H. Smith,
Mr. Spafford,
Mr. Sheldon,
Mr. J. R. Smith,
Mr. Williams,
Mr. Speaker,

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NAYS.

Mr. Ball,
Mr. Buel,
Mr. Buckbee,
Mr. Cook,
Mr. Cooley,
Mr. Crane,
Mr. Doty,

Mr. Decker,
Mr. Draper,
Mr. J. M. Howard,
Mr. Hotchkiss,
Mr. Kent,
Mr. Lancaster,
Mr. Moran,

Mr. Poucher,
Mr. Thompson,
Mr. Vickery,
Mr. Wakefield,
Mr. Wixom,
Mr. Wadhams,

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The question being upon the passage of the resolution, it was decided in the affirmative.

Mr. J. M. Howard offered the following resolution, and moved it be laid upon the table for one day and be printed :

Resolved, That a committee of four be appointed to enquire, and report to this house, by what authority the Treasurer paid to the Governor, on the twentieth day of May last, the sum of eight hundred and thirty-three dollars thirty-four cents, as appears by the Treasurer's report, presented at the present session ; and by what authority the Treasurer paid the further sum of six hundred and twenty-five dollars, to the Governor, on the thirtieth December last, as appears from the same report ; and that said committee report the facts in the case and their opinion thereon without unnecessary delay ; and also, by what authority the said Treasurer paid to the Governor, on the twenty-ninth day of May last, the sum of five hundred dollars, out of the internal improvement fund.

Mr. Buel moved that the resolution be laid upon the table, not to appear in the journal ; pending which question,

The House adjourned.

Wednesday, January 31.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Berry.

The roll having been called, there were absent, Messrs. Cooley and Wadhams.

Mr. Lancaster asked and obtained leave of absence for Mr. Wadhams, for one week.

Mr. Ball presented a petition for the organization of a township in the county of Kent.

Mr. Wixom presented a petition for the organization of township number three and four, of range three and four west, in the county of Eaton, which petitions were referred to the committee on the organization of towns and counties.

Mr. Lane presented a petition in relation to the northern railroad, which was referred to the select committee appointed to review the location of the northern and southern railroads.

Mr. Buel, from the committee on the judiciary, to which was referred a resolution relative to imprisonment for debt, reported the following preamble and joint resolution, which was read the first and second times, and according to rule, was laid upon the table for one day.

Whereas, it is the duty of all civilized nations to adopt with caution precepts, laws and usages, which had their origin in times of ignorance and barbarism; and whereas, imprisonment for debt had its origin in a barbarous age and nation and furnishes an easy opportunity for the gratification of malice under the garb of justice, procuring no real benefit to the debtor or creditor; and whereas, it has no other sanction than that of time-worn usage; therefore,

Resolved by the Senate and House of Representatives, That our senators in congress be instructed and our representative requested, to urge upon the attention of congress the immediate abolition of imprisonment for debt, in all civil cases coming within the jurisdiction of the courts of the United States.

All which is respectfully submitted.

A. W. BUEL, *Chairman.*

January, 31, 1838.

The following communication was received from the Executive, through C. C. Jackson, Esq. his private secretary:

To the House of Representatives :

I have this day approved and filed in the office of the Secretary of State, the following joint resolutions, viz: "joint resolutions directing certain moneys to be received in payment of state taxes, and for other purposes."

STEVENS T. MASON.

January 30, 1838.

The Chair announced a communication from the state Treasurer, together with a statement of moneys paid Governor Mason, which was read and laid upon the table.

STATE TREASURER'S OFFICE,
Detroit, January 30, 1838. }

Sir—My attention has been called to an error in my account

for the year eighteen hundred and thirty-seven, in the over-payment of one-fourth year's salary to Governor Mason.

On an examination of my accounts and vouchers, I find that to be the case, and I herewith hand a statement shewing the payments as made by me, and the amount of the Governor's salary, commencing November first, eighteen hundred and thirty-five, and ending December thirty-first, eighteen hundred and thirty-seven.

I have only to add that the amount of five hundred dollars overpaid Governor Mason, has been refunded me, and this day returned to the treasury.

I am,

Very respectfully, yours,

H. HOWARD, *Treasurer.*

Hon. SPEAKER

of the House of Representatives, Michigan.

[See Document No. 27.]

The Chair announced the following communication from the Executive:

Detroit, January 30, 1838.

SIR—A member of the House of Representatives, in the debate on the annual report of the State Treasurer of this morning, having intimated that the error in the payment of my salary as Governor, was intentional, I have to request through you, as an act of justice to all concerned, the appointment of a committee by the House of Representatives, with instructions to enquire into the correctness of the member's allegation.

I have the honor to be,

Your ob't serv't,

STEVENS T. MASON.

*Hon. K. S. BINGHAM,

Speaker of the House of Representatives.

The Chair announced a message from the Senate, in the words following :

Mr. SPEAKER—In pursuance of the rules of the Senate, I here-with return the resolutions from the House of Representatives entitled "Resolutions concerning banking associations," with sundry amendments made thereto by the Senate, in which the con-

currency of the House of Representatives is respectfully requested.

The above resolution was taken up for consideration and the several amendments made by the Senate concurred in.

The Chair announced a message from the Senate, in the words following :

Mr. SPEAKER—In pursuance of the rules of the Senate, I here-with transmit resolutions which have passed the Senate, entitled “Resolutions relative to the state library,” in which the concurrence of the House of Representatives is respectfully requested : and in pursuance of the joint rules of the Senate and House of Representatives, I am instructed to inform the House of Representatives, that the resolution relative to the temporary removal of the counting-house of the Bank of Gibraltar, has been lost in the Senate, on the final passage of said resolution.

The above resolution relative to the state library, was, according to rule, laid upon the table for one day.

Mr. Ball, according to leave granted, brought in a bill entitled “A bill to authorize the building of a certain dam therein named,” which was read the first and second times and laid upon the table.

Mr. McClelland from the committee on the revised code, to which was referred a resolution relative to imprisonment for debt, reported that the whole system embraced the principle of imprisonment for debt.

On motion of **Mr. Howard**, the joint resolution offered by him relative to requesting the Governor to render a statement of disbursements and expenditures of all moneys drawn by him from the treasury of the late territory of Michigan, laid on the table on the 29th inst., was taken up, read the third time and passed.

Mr. Ball offered the following resolution :

Resolved, That the following rule be added to the standing rules of this House; “A motion to lay on the table shall be decided without debate.

The question being upon the adoption of the resolution, it was decided by yeas and nays, in the negative, as follows :

YEAS.

Mr. Ball,
Mr. Burke,

Mr. Montgomery,
Mr. Poucher,

Mr. Vickery,
Mr. Wakefield,

Mr. Crane,	Mr. Risdon,	Mr. Wixom,
Mr. Lancaster,	Mr. H. Smith,	Mr. Speaker,
NAYS.		
Mr. Adams,	Mr. Decker,	Mr. Lane,
Mr. Buel,	Mr. Draper,	Mr. McClelland,
Mr. Beaufait,	Mr. Goodman,	Mr. Moran,
Mr. Butler,	Mr. Gidley,	Mr. Odell,
Mr. Bowman,	Mr. Gantt,	Mr. Pray,
Mr. Buckbee,	Mr. J. M. Howard,	Mr. Payne,
Mr. Champlin,	Mr. J. Howard;	Mr. Spafford,
Mr. Cook,	Mr. Hotchkiss,	Mr. Sheldon,
Mr. Cooley,	Mr. Kellogg,	Mr. J. R. Smith,
Mr. Charter,	Mr. Kent,	Mr. Thompson,
Mr. Dorsey,	Mr. King,	Mr. Williams,
Mr. Doty,	Mr. Lacey,	35

Mr. Kellogg offered the following resolution :

Resolved, That the committee on expenditures be instructed to lay on the clerk's desk a book containing a statement of the expenses incurred and incurring, that the same may be subject to the examination of the members of the House from time to time.

Mr. Gantt moved to amend the resolution by adding the words,

" And that the committee be and they are hereby instructed to furnish each member of this House with such stationery as may be necessary."

On motion, the resolution and amendment were laid on the table.

The engrossed bill entitled " A bill to provide for the disposition of prisoners apprehended within the county of Livingston," was taken up, read the third time and passed.

The resolution submitted to the House by Mr. Cook, relative to the general banking law, was taken up for consideration.

Mr. Wakefield moved to amend by striking out all after the word "resolved," and inserting the words,

" That the committee to which was referred the resolution instructing an inquiry into the constitutionality of the vote adopting certain amendments to the general banking law, passed the last extra session of the legislature, be instructed to report to this House as soon as practicable on that subject ;" which question

[Jan. 31.

was decided in the negative, and the question on the adoption of the resolution was decided in the affirmative, by yeas and nays, as follows :

	YEAS.	
Mr. Adams,	Mr. J. Howard,	Mr. Odell,
Mr. Buel,	Mr. Kellogg,	Mr. Payne,
Mr. Beaufait,	Mr. Kent,	Mr. Risdon,
Mr. Butler,	Mr. King,	Mr. Sheldon,
Mr. Champlin,	Mr. Lacey,	Mr. J. R. Smith,
Mr. Cook,	Mr. Lane,	Mr. Thompson,
Mr. Goodman,	Mr. Lancaster,	Mr. Vickery,
Mr. Gidley,	Mr. Moran,	Mr. Williams,
Mr. J. M. Howard,		

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	NAYS.	
Mr. Ball,	Mr. Decker,	Mr. Poucher,
Mr. Bowman,	Mr. Draper,	Mr. H. Smith,
Mr. Buckbee,	Mr. Gantt,	Mr. Spafford,
Mr. Crane,	Mr. Hotchkiss,	Mr. Wakefield,
Mr. Charter,	Mr. McClelland,	Mr. Wixom,
Mr. Dorsey,	Mr. Montgomery,	Mr. Speaker,
Mr. Doty,	Mr. Pray,	

20

Mr. Wixom offered the following resolution, which was, on motion of Mr. Payne, laid on the table :

Resolved, That the committee appointed to investigate the constitutionality of the amendment to the general banking law, be required to report to this House whether the law was passed by a constitutional majority, without delay.

Mr. Risdon, according to notice and leave granted, brought in a bill entitled "A bill to incorporate the Brest and St. Joseph canal and river navigation company," which was read the first and second times, and laid upon the table.

Mr. Ball presented a petition for the organization of a town in the county of Ionia, which was referred to the committee on the organization of towns and counties.

The Chair announced a message from the Senate, in the words following :

Mr. SPEAKER—In pursuance of the rules of the Senate, I here-with transmit two bills which have passed the Senate, entitled "A bill for the destruction of wolves," and "A bill to amend an act entitled 'An act appointing commissioners to lay out and es-

tablish certain state roads,' approved March seventeen, eighteen hundred and thirty-seven," in which the concurrence of the House of Representatives is respectfully requested. I also herewith return without amendment, the bill from the House of Representatives, entitled "A bill to change the name of James Roughan to James Rowan."

The "bill for the destruction of wolves," from the Senate, was read the first and second times, and referred to the committee on agriculture.

The bill from the Senate, entitled "A bill to amend an act entitled 'An act appointing commissioners to lay out and establish certain state roads,' approved March seventeen, eighteen hundred and thirty-seven," was read the first and second times, and referred to the committee on roads and bridges.

On motion of Mr. J. M. Howard, the consideration of the resolution "concerning the payment of money to the Executive," was resumed.

Mr. McClelland moved the suspension of the thirty-eighth rule, that he might offer an amendment, which question was decided in the negative, by yeas and nays, as follows :

YEAS.

Mr. Adams,	Mr. Dorsey,	Mr. Moran,
Mr. Burke,	Mr. Doty,	Mr. Poucher,
Mr. Beaufait,	Mr. Kent,	Mr. Risdon,
Mr. Buckbee,	Mr. King.	Mr. Wixom,
Mr. Crane,	Mr. Lancaster,	Mr. Speaker, 17
Mr. Charter,	Mr. McClelland,	

NAYS.

Mr. Ball,	Mr. Gidley,	Mr. Pray,
Mr. Buel,	Mr. Gantt,	Mr. Payne,
Mr. Butler,	Mr. J. M. Howard,	Mr. H. Smith,
Mr. Bowman,	Mr. J. Howard,	Mr. Spafford,
Mr. Champlin,	Mr. Hotchkiss,	Mr. Sheldon,
Mr. Cook,	Mr. Kellogg,	Mr. J. R. Smith,
Mr. Cooley,	Mr. Lacey,	Mr. Thompson,
Mr. Decker,	Mr. Lane,	Mr. Vickery,
Mr. Draper,	Mr. Montgomery,	Mr. Williams,
Mr. Goodman,	Mr. Odell,	29

The question being upon the passage of the resolution, it was decided in the affirmative, by yeas and nays, as follows :

YEAS.

Mr. Adams,	Mr. Draper,	Mr. Odell,
Mr. Ball,	Mr. Goodman,	Mr. Pray,
Mr. Burke,	Mr. Gidley,	Mr. Payne,
Mr. Buel,	Mr. Gantt,	Mr. Poucher,
Mr. Beaufait,	Mr. J. M. Howard,	Mr. Risdon,
Mr. Butler,	Mr. J. Howard,	Mr. H. Smith,
Mr. Bowman,	Mr. Hotchkiss,	Mr. Spafford,
Mr. Buckbee,	Mr. Kellogg,	Mr. Sheldon,
Mr. Champlin,	Mr. Kent,	Mr. J. R. Smith,
Mr. Cook,	Mr. King,	Mr. Thompson,
Mr. Cooley,	Mr. Lacev,	Mr. Vickery,
Mr. Crane,	Mr. Lane,	Mr. Wakefield,
Mr. Charter,	Mr. Lancaster,	Mr. Wixom,
Mr. Dorsey,	Mr. McClelland,	Mr. Williams,
Mr. Doty,	Mr. Moran,	Mr. Speaker,
Mr. Decker,	Mr. Montgomery,	

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NAYS.

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And the Chair announced Messrs. J. M. Howard, Buckbee, Lancaster, Moran and Butler, as the committee to which said resolution was referred.

Mr. Adams asked and obtained leave of absence for Mr. Beaufait, for one day.

On motion, the House adjourned.

Thursday, February 1.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Berry.

The roll being called, there were absent, Messrs. Decker, J. M. Howard, and Kent.

The journal of yesterday having been read,

Mr. Lancaster presented a petition in relation to the southern railroad, which was referred to the select committee appointed to investigate the location of said route.

Mr. Ball presented a petition for the organization of the county of Barry, and also for the organization of the same into four town-

ships : referred to the committee on the organization of towns and counties.

Mr. McClelland, from the committee on the revised code, to which was referred a resolution relative to the appointment of commissioners of internal improvement, reported thereon, and recommended the appointment of the board of internal improvement, by both branches of the legislature.

[See Document No. 28.]

Mr. McClelland, from the judiciary committee, reported a bill entitled "An act to regulate and define the powers of justices of the peace, and constables, in civil cases," which was read a first and second times and laid upon the table.

Mr. Risdon, from the committee on roads and bridges, to which was referred a bill from the Senate, entitled "A bill to amend an act entitled 'An act appointing commissioners to lay out and establish certain state roads,' approved March seventeen, eighteen hundred and thirty-seven," reported the same to the House without amendment.

Mr. Buel, from the committee on the geological survey made a report thereon, which was read and ordered to be printed in the city papers, also reported two bills entitled "A bill to provide for the improvement of state salt springs," and "A bill relative to the state geological survey," and repealing an act entitled "An act to provide for a geological survey of this state," which were read the first and second times and laid on the table.

Mr. Gidley, from the select committee appointed to apportion the members of the House of Representatives of this state, and to arrange the senate districts, reported a bill entitled "A bill for the apportionment of members of the House of Representatives, and to arrange the senate districts," which was read the first and second times and laid upon the table.

On motion, the joint resolution submitted by Mr. Buel, relative to imprisonment for debt, was taken up, read a third time and passed.

Mr. Crane, according to notice given and leave granted, brought in a bill entitled "A bill to prevent the circulation of bills or tickets of a less denomination than one dollar," which was read the first and second times and laid upon the table.

Mr. Sheldon, according to notice given and leave granted, introducing a bill entitled "A bill to incorporate the village of Utica," which was read the first and second times and referred to the committee on banks and incorporations.

Mr. Spafford presented a petition from Charles Blair and others, for the privilege of improving the water power of Evans Creek, in the county of Lenawee, referred to the committee on roads and bridges.

The joint resolution from the Senate, relative to the state library, was taken up for consideration, and referred to the committee on the library.

On motion of Mr. McClelland the resolution submitted by Mr. Kellogg, relative to a book containing an account of expenses incurred by the committee on expenditures, was taken up for consideration, and the question being upon the amendment of Mr. Gant, he withdrew the amendment, and the question on the adoption of the resolution was decided in the affirmative.

The House then resolved itself into committee of the whole, Mr. Risdon in the chair, upon a bill from the Senate, entitled "A bill to amend an act entitled 'An act appointing commissioners to lay out and establish certain state roads,' approved March 17, 1837," and after some time spent therein, the committee rose, and through their chairman reported the same to the House without amendment, and said bill was then ordered to be engrossed for a third reading.

On motion of Mr. Buel, the House resolved itself into committee of the whole, Mr. Buel in the chair, upon a bill from the Senate entitled "A bill to incorporate the Lake Huron and Detroit railroad company," and after some time spent thereon, the committee rose, and through their chairman reported progress, and asked and obtained leave to sit again.

Mr. Gant, from the committee on printing, reported as correctly enrolled, "resolutions concerning banking associations," also "A bill to change the name of James Roughan to James Rowan."

Mr. McClelland, according to notice given and leave granted, introduced a bill entitled "A bill to incorporate the Clinton salt works company, with certain privileges," which was read the first and second times, and referred to the committee on banks and incorporations.

Mr. Lancaster offered the following resolution which was, on motion of Mr. Cook, laid upon the table.

Resolved, That the judiciary committee be and they are hereby instructed to inquire into the expediency of so amending the laws now in force, that a district attorney be elected for each judicial circuit of this state, and report to this House by bill or otherwise.

On motion of Mr. McClelland,

Resolved, That the committee on the judiciary inquire into the expediency of requiring all reports that are by law to be annually made to the legislature, to be made out and printed at the expense of the state, at least ten days previous to the first Monday of January, in each year.

Mr. Crane gave notice that at some future day he should ask leave to introduce a bill authorizing the supervisors of Livingston county to borrow a sum of money for the purpose of erecting a jail for said county.

Mr. Ball gave notice that he should at some future day, ask leave to introduce a bill to provide for the disposition of prisoners apprehended within the counties of Ionia and Ottawa.

On motion, the House adjourned.

Friday, February 2.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Berry.

The roll being called, there were absent, Messrs. Champlin, J. M. Howard, and McClelland.

The journal of yesterday having been read,

Leave of absence was granted to Mr. Dorsey, for ten days: Mr. McClelland, until Tuesday next; Mr. Payne for two days, and to Mr. Champlin, until Tuesday next.

Mr. Bement presented a remonstrance against the incorporation of the village of Dexter, referred to the committee on banks and incorporations.

Mr. Odell presented a petition to remove the county seat of Van Buren county, referred to the committee on towns and counties.

Mr. Buckbee presented a petition from sundry inhabitants of the counties of Wayne, Washtenaw, Livingston and Lenawee, asking relief on account of an alleged breach of faith on the part of the board of internal improvement, relating to receiving propositions for the building and construction of the central railroad from Ypsilanti to Ann Arbor; referred to committee on claims.

Mr. Bement, from the committee on banks and incorporations, to which was referred a resolution relative to the passage of the late general banking law, reported thereon, which was laid on the table; also to which was referred a resolution relative to the expediency of amending the banking law, reported, that in their opinion it is inexpedient to amend said law, which report was accepted and the committee discharged; also to which was referred a petition from sundry inhabitants of the county of St. Joseph, praying for a railroad charter, reported a bill entitled "A bill to incorporate the Mottville and White Pigeon railroad company," which was read the first and second times and laid upon the table; also to which was referred "A bill to incorporate the village of Utica," reported the same to the House without amendment, and said bill was laid upon the table.

Mr. Risdon, from the committee on roads and bridges, reported a bill entitled "A bill appointing commissioners to lay out and establish certain state roads and for other purposes," which was read the first and second times and laid upon the table.

Mr. Bement, from the committee on banks and incorporations, to whom was referred a resolution relative to prohibiting the circulation of bills of a less denomination than one dollar, respectfully reported, that they have had the same under consideration and are of the opinion that it is expedient to enact a law restraining the issuing of bills of the kind referred to in the resolution, but so many subjects had been before the committee that they could not report at an earlier day, and that since said resolution was referred to the committee, a bill has been introduced by a member of the House. The committee therefore decline introducing a bill at present.

Mr. Gidley, from the committee on agriculture, to which was referred the bill from the Senate entitled "A bill for the destruc-

tion of wolves," reported the same to the House without amendment, which was laid upon the table.

Mr. Buel, from the committee on the library, to which was referred a resolution from the Senate relative to the state library, reported the same to the House without amendment, and said resolution was taken up for consideration, and on motion of Mr. Cook, the second resolution was amended by inserting in line three after the word "Senate," the words "and House of Representatives," and the resolution as amended was then read the third time and passed.

Mr. Henry Smith presented the claim of M. Paulding and Charles Jackson for work done and materials furnished, in attempting to warm the House with heated air, which claim was referred to the committee on claims.

The following communication was received from the Executive through C. C. Jackson, Esq., his private secretary :

To the House of Representatives:

I have this day approved and filed in the office of the Secretary of State, the following act and resolutions, viz: "An act to change the name of James Roughan to James Rowan," and "Resolutions concerning banking associations."

STEVENS T. MASON.

February 2, 1838.

Mr. Crane, according to notice given and leave granted, introduced a bill entitled "A bill to authorize the board of supervisors of Livingston county to borrow a certain sum of money," which was read the first and second times and laid upon the table.

On motion of Mr. Wakefield, the House resolved itself into committee of the whole, Mr. Buckbee in the chair, upon bill number twenty, entitled "A bill to suspend an act entitled 'An act to organize and regulate banking associations,'" and an act to amend the same, and after some time spent thereon, the committee rose, and through their chairman reported the bill to the House without amendment.

On motion of Mr. Payne, the bill was recommitted to the committee on banks and incorporations, with instructions to so amend the amended general banking law as to repeal the thirty-seventh,

thirty-eighth, thirty-ninth, fortieth and forty-first sections of said act.

On motion of Mr. Kellogg,

Resolved, That one thousand copies of the report of the State Geologist be printed, instead of five hundred.

Mr. Crane moved that the communication from the Executive, in relation to the appointment of a committee to examine into certain allegations, be taken up and referred to a select committee of five, which question was decided, by yeas and nays, in the affirmative, as follows:

YEAS.

Mr. Adams,	Mr. Charter,	Mr. Lancaster,
Mr. Ball,	Mr. Dorsey,	Mr. Moran,
Mr. Burke,	Mr. Doty,	Mr. Montgomery,
Mr. Bement,	Mr. Decker,	Mr. Odell,
Mr. Buel,	Mr. Draper,	Mr. Pray,
Mr. Beaufait,	Mr. Gant,	Mr. Poucher,
Mr. Butler,	Mr. Hotchkiss,	Mr. Rison,
Mr. Bowman,	Mr. Kellogg,	Mr. Sheldon,
Mr. Buckbee,	Mr. Kent,	Mr. Wakefield,
Mr. Cooley,	Mr. Lacey,	Mr. Wixom,
Mr. Crane,	Mr. Lane,	Mr. Speaker, 33

NAYS.

Mr. Cook,	Mr. J. Howard,	Mr. J. R. Smith,
Mr. Goodman,	Mr. Payne,	Mr. Thompson,
Mr. Gidley,	Mr. H. Smith,	Mr. Vickery,
Mr. J. M. Howard,	Mr. Spaford,	Mr. Williams, 12

Whereupon the Chair announced Messrs. Crane, Adams, Payne, Cook and Ball, as said committee.

The Chair announced a message from the Senate in the words following:

Mr. SPEAKER—In pursuance of the rules of the Senate, I here-with transmit a bill which has passed the Senate, entitled “A bill for the relief of James Cicotte, collector of public taxes, and for extending the time for collecting and paying over the public taxes within the city of Detroit, for the current fiscal year;” also, a joint resolution which has passed the Senate, relative to postage on newspapers, in which bill and resolution the concurrence of the House of Representatives is respectfully requested: I also here-

with return the bill entitled "A bill to provide for the disposition of prisoners apprehended within the county of Livingston, with amendments made thereto by the Senate, in which the concurrence of the House of Representatives is also respectfully requested.

The above bill transmitted from the Senate, was read the first and second times and referred to the committee on ways and means, and the resolution transmitted from the Senate, was read the first and second times, and according to rule, laid upon the table for one day.

The rule being suspended, the resolution was read a third time and passed, and the bill from the House, returned by the Senate with amendments, was laid upon the table.

Mr. Gidley presented a petition of Marcus Hall and others, of Jackson and Ingham counties for a state road, which was referred to the committee on roads and bridges.

Mr. Lancaster offered the following resolution, which was laid on the table.

Resolved, That the committee on internal improvement, be and they are hereby instructed to inquire into the expediency of erecting a fire proof building for the safe keeping of the public documents and papers on file, and to be lodged with the board of internal improvement.

Mr. Buel gave notice that, on some future day, he should ask leave to bring in a bill entitled "A bill to incorporate the Detroit university."

On motion of Mr. Risdon, the report of the select committee, on the causes of unequal taxation for the support of the government, was referred to the committee on ways and means.

Mr. Kellogg moved a reconsideration of the vote taken upon the appointment of a select committee upon the communication of the Governor: pending which motion, the House adjourned until Monday morning at half-past nine o'clock.

Monday February 5.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Hoyt.

The roll having been called, there were absent, Messrs. Buckbee, Goodman, Pray and Payne.

The journal of Friday having been read,
Leave of absence was granted to Mr. Buckbee indefinitely;
also to Mr. Goodman for one day.

Mr. McClelland presented a petition of six hundred and thirty-three individuals in the county of Monroe, praying that the location of the southern railroad might not be altered.

Mr. Lane presented a petition that the location of the northern railroad might be altered, which petitions were referred to the select committee heretofore appointed by the Chair.

Mr. Risdon presented a petition from sundry inhabitants of the towns of Sharon and Manchester, praying the repeal of all laws of this state, making any distinction among its inhabitants on account of color.

Mr. Gidley presented sundry petitions from inhabitants of the county of Livingston, relative to slavery, privileges of the people of color and the annexation of Texas to the Union, which petitions were referred to the select committee on Texian affairs.

Mr. Vickery presented a petition from sundry inhabitants of the township of Pavillion, in the county of Kalamazoo, remonstrating against a division of said township.

Mr. Ball presented a petition to change the name of the village of Jacksonburgh in the county of Jackson, to that of Jackson; also a petition to organize township eight north, of range eight west, in the county of Ionia, south of Grand river, into a town to be called Cass, which petitions were severally referred to the committee on the organization of towns and counties.

Mr. Lancaster presented a petition from the inhabitants of the county of St. Joseph, in relation to the village of Centerville, and moved that the report of the committee on towns and counties, submitted in relation to a similar petition heretofore presented, be considered together with the above petition, which was decided in the affirmative.

Mr. Moran, from the committee on ways and means, to which was referred the bill from the Senate for the relief James Cicotte, reported the same to the House without amendment.

Mr. McClelland, from the committee on internal improvement, reported a bill entitled "A bill to amend an act entitled "An act for the regulation of internal improvement and for the appoint-

ment of a board of commissioners," which was read the first and second times and laid upon the table.

The bill from the Senate, heretofore ordered to be engrossed, entitled "A bill to amend an act entitled 'An act for the appointment of commissioners to lay out and establish certain state roads, approved March 17, 1837,'" was taken up and read the third time and passed.

The Chair announced a message from the Senate, in the words following :

Mr. SPEAKER—In pursuance of the rules of the Senate, I here-with transmit a bill which has passed the Senate entitled "A bill to provide for the extension of the time provided by law for the collection of taxes in the county of Monroe," in which the concurrence of the House of Representatives is respectfully requested.

On motion, the House resolved itself into committee of the whole, Mr. Crane in the chair, upon the above bill, and after some time spent thereon, the committee rose, and through their chairman reported the same to the House with an amendment which was concurred in : also upon the bill from the Senate for the relief of James Cicotte, and after some time spent thereon, the committee rose and through their chairman reported the same to the House without amendment.

On motion of Mr. Moran, the rule was suspended and said bills were severally read a third time and passed.

Mr. Adams presented the annual report of the auditor of the board of internal improvement, which was laid upon the table and ordered to be printed.

[See Document No. 29.]

On motion of Mr. Crane, the bill entitled "A bill to provide for the disposition of prisoners apprehended within the county of Livingston," together with the amendments made thereto by the Senate, was taken up for consideration and the amendments concurred in.

The question pending upon the adjournment of the House on Friday, being "would the House reconsider the vote taken upon referring the communication of the Executive to a select commit-

tee of five," it was decided, by yeas and nays; in the negative, as follows:

YEAS.	21
Mr. Burke,	Mr. Gantt,
Mr. Butler,	Mr. J. M. Howard,
Mr. Bowman,	Mr. J. Howard,
Mr. Cook,	Mr. Hotchkiss,
Mr. Cooley,	Mr. Kellogg,
Mr. Draper,	Mr. Lacey,
Mr. Gidley,	Mr. Lane,

NAYS.	22
Mr. Adams,	Mr. Decker,
Mr. Ball,	Mr. Kent,
Mr. Bement,	Mr. King,
Mr. Buel,	Mr. Lancaster,
Mr. Beaufait,	Mr. Levake,
Mr. Crane,	Mr. McClelland,
Mr. Charter,	Mr. Moran,
Mr. Doty,	

On motion, the House took up for consideration the following resolution, submitted by Mr. Lancaster on Friday last.

Resolved, That the committee on internal improvement be and they are hereby instructed to enquire into the expediency of erecting a fire proof building, for the safe keeping of the public documents and papers on file, and to be lodged with the board of internal improvements, and that they report by bill or otherwise.

Mr. Gantt moved to amend the resolution by adding "and that the said building be located at the village of Ann Arbor," which was decided in the negative.

Mr. Wakefield moved to amend said resolution by adding the words "provided said building shall not cost to exceed one thousand dollars," which was decided in the negative.

The question being upon the adoption of the resolution, it was decided in the negative.

The House resolved itself into committee of the whole, Mr. Wixom in the Chair, upon the bill from the Senate entitled "A bill for the destruction of wolves," and after some time spent thereon, the committee rose, and through their chairman, reported the

same to the House with sundry amendments which were concurred in.

On motion of Mr. Moran,

Resolved, That the Auditor General of the state of Michigan, be requested to transmit as soon as may be to the House, his annual report.

Mr. Ball gave notice that at some future day he should ask leave to bring in a bill to attach certain territory north of the county of Ottawa, to that county for judicial purposes.

Leave of absence was granted to the Speaker for four days.

On motion, the House adjourned.

Tuesday, February 6.

The House met pursuant to adjournment.

Mr. McClelland in the Chair.

Prayer by the Right Rev. Mr. McCoskry.

The roll having been called, there were absent, Messrs. Bement, Cook, Doty, and Spafford.

Leave of absence was granted to Mr. Bement for one day, and to Mr. J. R. Smith for the remainder of the week.

Mr. Ball presented a petition from sundry inhabitants of the county of Kent, praying that the state prison may be located upon the salt spring reserve, which petition was referred to the committee on the state prison.

Mr. Lacey presented a petition from sundry citizens of Berrien county, praying for a removal of the locations made for seminary purposes on lands claimed by actual settlers, which was referred to the committee on university and school lands.

Mr. Goodman presented a petition from John Farmer, praying for a compensation for surveying a certain road in Wayne county, referred to the committee on claims.

Mr. Bowman presented a petition in relation to the southern railroad, which was referred to the select committee heretofore appointed by the Chair.

Mr. Gidley presented sundry petitions for the organization of sundry towns, referred to the committee on organization of towns and counties.

Mr. J. M. Howard, from the committee on the judiciary, to which was referred a resolution relative to primary schools, reported thereon, that in their opinion no further legislation upon that subject was required, and they therefore asked to be discharged from the further consideration of the subject, which report was accepted.

Mr. J. M. Howard, from the committee on education, to which was referred the petition of sundry inhabitants of the township of Burlington in the county of Calhoun, reported the following joint resolution, which was read the first and second times and laid upon the table.

Resolved by the Senate and House of Representatives of the State of Michigan, That the Superintendent of Public Instruction be requested to recommend to the several school districts in the state, such elementary books to be used in common schools, as he may think best calculated for the purposes of instruction in such schools.

On motion of Mr. Cook, the vote taken upon the adoption of a resolution requiring the Auditor General to submit his annual report to the House, was reconsidered, and on motion of Mr. Leake, said resolution was laid upon the table.

On motion of Mr. Cook,

Resolved, That the committee on printing be and they are hereby instructed to have published for this House three hundred copies of the Auditor's report.

The Chair announced a message from the Senate, in the words following :

Mr. SPEAKER : In pursuance of the rules of the Senate, I herewith return without amendment, the resolutions from the House of Representatives, requesting the Governor to render an account of certain disbursements and expenditures, and the resolution relative to imprisonment for debt under the laws of the United States : I also herewith transmit a bill which has passed the Senate, entitled "A bill to authorize the laying out a state road from Niles to Kalamazoo," in which the concurrence of the House of Representatives is respectfully requested.

The above bill transmitted from the Senate, was taken up, read the first and second times and referred to the committee on roads and bridges.

Mr. Crane, from the select committee to which was referred the communication of the Executive, reported thereon.

[See Document No. 30.]

Which having been read, Mr. J. M. Howard moved that the consideration of the report be postponed indefinitely; Mr. Cook moved to amend the motion by laying it upon the table.

The question being upon laying upon the table, it was decided, by yeas and nays, in the negative, as follows:

YEAS.

Mr. Butler,	Mr. J. M. Howard,	Mr. Odell,
Mr. Bowman,	Mr. J. Howard,	Mr. Spafford,
Mr. Cook,	Mr. Hotchkiss,	Mr. Sheldon,
Mr. Draper,	Mr. Kellogg,	Mr. Thompson,
Mr. Goodman,	Mr. Lacey,	Mr. Vickery,
Mr. Gidley,	Mr. Lane,	Mr. Williams, 18

NAYS.

Mr. Adams,	Mr. Decker,	Mr. Montgomery,
Mr. Ball,	Mr. Gantt,	Mr. Pray,
Mr. Burke,	Mr. Kent,	Mr. Poucher,
Mr. Buel,	Mr. King,	Mr. Risdon,
Mr. Beaufait,	Mr. Lancaster,	Mr. H. Smith,
Mr. Crane,	Mr. Levake,	Mr. Wakefield,
Mr. Charter,	Mr. McClelland,	Mr. Wixom,
Mr. Doty,	Mr. Moran,	23

The question recurring upon the motion of Mr. J. M. Howard Mr. Crane moved to amend by laying the report upon the table to be printed, which was decided, by yeas and nays, in the affirmative, as follows:

YEAS.

Mr. Adams,	Mr. Goodman,	Mr. Montgomery,
Mr. Ball,	Mr. Gantt,	Mr. Odell,
Mr. Burke,	Mr. Kent,	Mr. Pray,
Mr. Buel,	Mr. King,	Mr. Poucher,
Mr. Beaufait,	Mr. Lacy,	Mr. Risdon,
Mr. Crane,	Mr. Lancaster,	Mr. H. Smith,
Mr. Charter,	Mr. Levake,	Mr. Spafford,
Mr. Doty,	Mr. McClelland,	Mr. Wakefield,
Mr. Decker,	Mr. Moran,	Mr. Wixom, 27

NAYS.

Mr. Butler,	Mr. J. Howard,	Mr. Thompson,
Mr. Bowman,	Mr. Hotchkiss,	Mr. Vickery,

Mr. Cook, Mr. Kellogg, Mr. Sheldon,
Mr. Draper, Mr. Lane, Mr. Williams,
Mr. J. M. Howard,

The Chair announced the following communication :
To the Hon. SPEAKER
of the House of Representatives of the State of Michigan.

Agreeably to the requisition of the act of March 22, 1837, on
the state penitentiary, we respectfully transmit the enclosed re-
port.

JACOB BEESON,
H. P. COBB,
H. STEVENS,
Commissioners.

Detroit, February 6, 1838.

[See Document No. 31.]

On motion of Mr. Levake, the above report transmitted by the
commissioners, was laid upon the table, and on motion of Mr.
Cook, three hundred copies ordered to be printed.

The following communication from the Executive, was received
through C. C. Jackson, Esq., his private secretary :

To the House of Representatives :

I herewith transmit sundry resolutions of the legislature of the
state of Vermont, on the subject of the franking privilege.

STEVENS T. MASON.

February 6, 1838.

[See Document No. 32.]

The resolutions relative to the franking privilege, having been
read, were referred to the committee on the judiciary.

On motion, the House adjourned.

Wednesday, February 7.

The House met pursuant to adjournment.

Prayer by the Rt. Rev. Bishop McCoskry.

The roll having been called, there were absent, Messrs. Beau-
fait, Levake and Moran.

The proceedings of yesterday having been read,

Mr. McClelland, Speaker pro. tem.,

Mr. J. M. Howard, presented a petition for a dam across Lookinglass river, which was referred to the committee on roads and bridges.

Mr. Gidley presented a remonstrance of the inhabitants of Jacksonburgh against the incorporation of the village of Jacksonburgh. Referred to the committee on banks and incorporations.

Mr. Kent presented a remonstrance of sundry inhabitants of Branch county, against any change in the location of the southern railroad. Referred to the select committee heretofore appointed by the Chair.

Mr. Bement, from the committee on banks and incorporations, to which was referred "A bill to incorporate the Clinton salt works company, with certain privileges," reported the same to the House without amendment, and the bill, together with the report, were laid upon the table to be printed.

[See Document No. 33.]

Mr. King, from the committee on Indian affairs, to which was referred a petition relating to privileges of people of color, reported adverse to the prayer of the petitioners, and asked to be discharged from the further consideration of the subject, which report was accepted.

Mr. J. M. Howard, from the committee on education, to which was referred the petition of Jas. H. Lanman and John T. Blois, reported a bill entitled "A bill to encourage the publication of the history of Michigan, and the gazetteer of Michigan, and to subscribe for three hundred copies of each," which was read the first and second times and laid upon the table.

The joint resolution yesterday submitted by Mr. J. M. Howard, from the committee on education, relative to primary schools, was taken up, read the third time and passed.

Mr. Butler, according to notice given and leave granted, introduced a bill entitled "A bill to incorporate the village of Romeo," which was read the first and second times and laid upon the table.

Mr. Ball, according to notice given and leave granted, introduced two bills entitled "A bill to provide for the disposition of prisoners apprehended within the counties of Kent and Ottawa,"

and "A bill to attach certain territory to the county of Ottawa, for judicial purposes," which was read the first and second times and laid upon the table.

Mr. Spafford offered the following resolution, and moved its adoption:

Resolved, That the acting commissioner on the southern railroad be and he is hereby required to report forthwith to this House, whether all operations have been suspended on said route agreeably to the evident intent, meaning and requirement of the joint resolution which recently passed the legislature.

The question being upon the adoption of the resolution, it was decided, by yeas and nays, in the affirmative, as follows:

YEAS.

Mr. Adams,	Mr. Crane,	Mr. Lane,
Mr. Ball,	Mr. Charter,	Mr. McClelland,
Mr. Burke,	Mr. Doty,	Mr. Moran,
Mr. Bement,	Mr. Decker,	Mr. Odell,
Mr. Buel,	Mr. Draper,	Mr. Pray,
Mr. Beaufait,	Mr. Goodman,	Mr. Poucher,
Mr. Butler,	Mr. J. M. Howard,	Mr. Risdon,
Mr. Bowman,	Mr. J. Howard,	Mr. H. Smith,
Mr. Buckbee,	Mr. Hotchkiss,	Mr. Spafford,
Mr. Champlin,	Mr. Kellogg,	Mr. Sheldon,
Mr. Cook,	Mr. King,	Mr. Vickery,
Mr. Cooley,	Mr. Lacey,	Mr. Williams, 36

NAYS.

Mr. Gant,	Mr. Lancaster,	Mr. Wakefield,
Mr. Kent,	Mr. Thompson,	Mr. Wixom, 6

On motion of Mr. Bement,

Resolved, That the committee on towns and counties be instructed to inquire into the expediency of changing the name of the town of East Portage, in Jackson, to the name of Waterloo, and that they report by bill or otherwise.

On motion, the House adjourned.

Thursday, February 8.

The House met pursuant to adjournment.

Prayer by the Right Rev. Bishop McCoskry.

The roll having been called, there were absent, Messrs. Beau-

fait, Butler, Buckbee, Charter, J. M. Howard, Moran, Montgomery, Spafford.

The proceedings of yesterday having been read,

Leave of absence was granted to Messrs. Spafford and Charter for one day, and to Mr. Montgomery for the remainder of the week.

Mr. Wakefield presented a petition from sundry inhabitants of Genesee county, praying for the organization of a township ; referred to the committee on towns and counties.

Mr. Bement presented a petition from sundry inhabitants of Dexter, praying for the incorporation of that village ; referred to the committee on banks and incorporations.

Mr. Buel, from the committee on the judiciary, to which was referred sundry resolutions relative to the extension of the franking privilege to the governors of the several states, reported the following joint resolution, which was read the first and second times, and according to rule, was laid upon the table for one day.

Resolved by the Senate and House of Representatives, That our senators in congress be instructed, and our representative requested to use their influence in procuring the passage of a law, extending the franking privilege to the governors of the several states.

Mr. Risdon, from the committee on roads and bridges, to which was referred the bill from the Senate entitled "A bill to authorize the laying out a state road from Niles to Kalamazoo," reported the same to the House without amendment.

Mr. Henry Smith, from the committee on militia, reported a bill entitled "A bill to provide for the militia and for the public defence," which was read the first and second times and laid upon the table.

Mr. J. Howard, according to notice given and leave granted, introduced a bill entitled "A bill to incorporate the Gibraltar and Flat Rock company, with certain privileges," which was read the first and second times and referred to the committee on banks and incorporations.

Mr. Crane, from the committee on the organization of towns and counties, to which was referred the petition of sundry inhabi-

tants of the county of Oakland and Livingston, asking for the organization of a new county, reported, that in their opinion it was inexpedient to grant the prayer of the petitioners, and they asked to be discharged from the further consideration of the subject, which report was accepted.

The House then resolved itself into committee of the whole, Mr. Henry Smith in the chair, upon bill number twenty-four, entitled "A bill to provide for the improvement of the state salt springs," and after some time spent thereon, the committee rose, and through their chairman, reported the same to the House with an amendment, which was concurred in, and the bill was then ordered to be engrossed for a third reading.

On motion of Mr. Gantt, the House resolved itself into a committee of the whole, upon bill number eighteen, entitled "A bill to incorporate the Auburn and Lapeer railroad company," and after some time spent thereon, the committee rose, and through their chairman reported the same to the House with sundry amendments, which were concurred in, and said bill was then ordered to be engrossed for a third reading.

On motion of Mr. Buel, the House resolved itself into committee of the whole, upon bill number twenty-three, entitled "A bill relative to the state geological survey, and repealing an act entitled 'An act to provide for a geological survey of the state,'" and after some time spent thereon, the committee rose, and through their chairman, reported progress and asked and obtained leave to sit again.

The Chair announced the following communication from the acting commissioner on the southern railroad route, which having been read, was referred to the select committee of investigation.

Detroit, Feb. 7, 1838.

*To the Honorable the Speaker
of the House of Representatives :*

SIR—I have the honor to acknowledge the receipt of a copy of a resolution, passed this day by the House of Representatives, requiring me as acting commissioner on the southern railroad, "to report forthwith to the House whether all operations have been suspended on said route, agreeably to the evident intent, meaning

and requirement of the joint resolution which recently passed the legislature."

The joint resolution to which reference is made, was passed on the twenty-sixth day of January last, and a copy thereof furnished me on the thirtieth of the same month. Previous to that time, to wit, on the twentieth day of November last, the eastern portion of the southern route, was located by a resolution of the board of commissioners, and on the twentieth and twenty-first days of December last, I made a sale of contracts, agreeably to a resolution of the board and in accordance with previous notice, for clearing and grubbing thirty miles of said road, lying immediately west of Monroe, and also, for timber for the superstructure of said road over the same distance. Immediately after the letting of said contract, I entered into written agreements, under seal with the several contractors, in which they respectively bound themselves with approved sureties, to commence their jobs on the fifteenth day of January last, and to finish the timber contracts on or before the first day of June, and the clearing and grubbing jobs, on or before the first day of May next. At the time of the passage of the joint resolution, the written contracts (with the exception of one mile grubbing and clearing, when the security was not furnished and on which no work had been done, but the contract forfeited) were all signed, sealed and delivered in triplicates, one part whereof was in the hands of each contractor, one part in my hands as acting commissioner, and the other part prepared to be filed in the office of the board, agreeably to a resolution of the board. Before the passage of the joint resolution, several of the contractors had commenced work, and were prosecuting the same under their contracts; many of the contractors had underlet their jobs, and the sub-contractors were engaged in the labor. I did not therefore deem myself possessed of power at the time a copy of the resolution was furnished me, to interfere and stop these operations. It appeared to me that they were at that time beyond my control; but, being desirous to use every endeavor to carry out the views and wishes of the legislature, I immediately obtained legal advice on the subject of my right to interfere with the work of the contractors and laborers, and was advised that when as acting commissioner, legally authorized so to do, I had

[Feb. 8.

executed contracts on behalf of the state, and said contracts were signed, sealed and delivered, as well by the contractors as by myself in my official capacity, I had no further control over the matter.

I however took the trouble immediately to see as many of the contractors as possible, and to inform them of the passage of the joint resolution and suggested to them the propriety of suspending operations on their jobs. They uniformly stated, that the state was bound by their contracts, and that for them to suspend operations for thirty days, would be to prevent them fulfilling the terms of their several agreements, and that they should not desist from their work. I also received written communications from two of the principal contractors, setting forth legal reasons why neither the legislature nor the acting commissioner could interfere with their contracts or the work under them. I am informed that most of the contractors are now prosecuting their labor agreeably to the terms of their written contracts; and it is for the legislature, if they deem it an object to prevent their proceeding, to devise such method as may be effectual to suspend their operations.

In the route of the road under contract, the central line only had been staked, and there were some small variations in the location which it was necessary to make. I accordingly sent out surveyors to make the necessary slight alterations and to place the proper side stakes. The surveyors were out on this duty at the time of the passage of the joint resolution. Had these alterations not been made, the consequences would have been, that the contractors would have followed the center stake as then placed. This deviation from the proper location must afterwards have been corrected at the expense of the state. Having no opportunity of seeing the surveyors, after the passage of the resolution, until they should return from the work, nor to notify them to desist, a part of the labor was unquestionably performed by them after the resolution was adopted, but before they were apprised of it.

I take the liberty of stating the above facts in order that the House may see the true situation of the matter in question.

I had also, previous to the passage of said joint resolution, agreeably to a resolution of the board of commissioners, given notice that I would let contracts on the third day of February instant,

for furnishing timber for the superstructure of about four miles of road near Adrian, and also, within the limits of the city of Monroe and also for the grading of the whole route, from the eastern termination to Adrian: provided the sum required for the same should not exceed the unexpended balance of the appropriation already made on the southern route. In consequence of said joint resolution, I immediately caused notice to be published, that said sale would be adjourned, and deferred letting the same until after the expiration of the time fixed for suspending operations. I also deferred letting the contract above mentioned as forfeited by the failure of the contractor to furnish the proper sureties, for the same reason.

Other than the work under contract above mentioned, over which I had no control, nothing has been done on the southern route; but I have carefully desisted from all operations thereon since I received notice of said resolution; and so far as the same have been within my power, as acting commissioner on said road, "all operations have been suspended on said route, agreeably to the evident intent, meaning and requirement of the joint resolution which recently passed the legislature."

I have the honor to be

Your most obedient servant,

L. S. HUMPHREY,

Acting Commissioner Southern Railroad.

The following communications were received from the Executive, through C. C. Jackson, Esq., his private secretary:

To the House of Representatives:

I have this day approved and filed in the office of the Secretary of State, the following act, viz: "An act to provide for the disposition of prisoners apprehended within the county of Livingston."

STEVENS T. MASON.

February 8, 1838.

To the House of Representatives:

I have this day approved and filed in the office of the Secretary of State, the following acts, viz: "An act to amend an act entitled 'An act appointing commissioners to lay out and establish certain state roads,' approved March 17, 1837;" "An act for the relief of

James Cicotte, collector of the public taxes, and for extending the time for collecting and paying over the public taxes within the city of Detroit, for the current fiscal year," and "An act to provide for the extension of the time provided by law for the collection of taxes in the county of Monroe."

STEVENS T. MASON.

February 8, 1838.

Mr. Lancaster presented sundry petitions in relation to the southern railroad route. Referred to the select committee of investigation.

On motion of Mr. Risdon,

Resolved, That the annual report of the commissioners of internal improvement be referred to the committee of internal improvements; and that they report to this House at as early a day as practicable, the amount of internal improvement funds now at the disposal of this state, and the amounts that can be judiciously expended on the several works of internal improvements now in progress, and necessary to be appropriated to those objects the present year.

On motion of Mr. Moran,

Resolved, That the judiciary committee be and they are hereby instructed to inquire into the expediency of so amending the several territorial and state laws, now in force, relative to the duties of the State Treasurer in the disbursement and payment of public moneys, and report by bill or otherwise.

On motion of Mr. J. M. Howard,

Resolved, That the state printer be authorized to print in the Daily Free Press the report of the committee to whom was referred a bill to incorporate the Clinton salt works company.

On motion of Mr. Champlin,

Resolved, That the committee on education be instructed to inquire into the expediency of so amending the law that provides for the disposition and sale of primary school lands, as to extend the time of the payment to be made by the purchasers, which by the present law is required to be made in one year from the sale, be extended to the first day of February after.

On motion of Mr. Gantt, bill number twenty-nine, entitled "A

bill appointing commissioners to lay out and establish certain state roads and for other purposes," was taken up for consideration.

On motion of Mr. Ball, section one was amended by striking out, in line four, the name of "Samuel Dexter," and inserting "Lawson S. Warner."

On motion of Mr. Crane, section two was amended by striking out, in line two, the words "or near," and inserting the word "Howell."

On motion of Mr. Risdon, the whole of section six was stricken out and the following substituted in lieu thereof:

"Sec. 6. There shall be laid out a state road from the village of Pontiac, in the county of Oakland, to Dearbornville, in the county of Wayne, and that Hiram Wilmarth and Cyrus Howard of Wayne county, and George W. Williams of Oakland county, be appointed commissioners to lay out the same."

On motion of Mr. Gidley, section seven was amended by striking out, in lines three and four, the names of "Minus McRoberts and Nathaniel Morell," and inserting the names of "E. B. Dansforth and Henry Fisk."

Said bill was then ordered to be engrossed for a third reading.

Mr. Bement, from the committee on banks and incorporations to which was referred "A bill to incorporate the village of Allegan," reported the same to the House with sundry amendments; which bill with the amendments, were laid on the table.

Mr. Lancaster presented a memorial from sundry citizens of the county of St. Joseph, remonstrating against the location of a road from Branch to the state road leading from Coldwater to Constantine; which was referred to the committee on roads and bridges.

On motion, the House adjourned.

Friday, February 9.

The House met pursuant to adjournment.

Prayer by the Rt. Rev. Bishop McCosky.

The roll having been called, there were absent, Messrs. Decker, Gant and Levake.

The proceedings of yesterday having been read,
Leave of absence was granted to Mr. Decker for three days,
and Mr. Levake until Monday.

Petitions presented : by Mr. Thompson from sundry inhabitants
of the town of Macon in the county of Lenawee, for a division
of said township. Referred to the committee on the organization
of towns and counties.

Mr. Buel, from the judiciary committee, reported a bill entitled
“ A bill relative to state annual reports,” which was read the first
and second times and laid on the table.

Mr. Bement, from the committee on banks and incorporations,
to which was referred “ A bill to incorporate the Gibraltar and
Flat Rock company, with certain privileges,” and “ A bill to in-
corporate the Brest and St. Joseph canal and river navigation
company,” reported the same to the House without amendment,
which were laid upon the table.

Mr. Crane, from the committee on towns and counties reported
“ A bill to organize the county of Barry :” read the first and se-
cond times and laid upon the table.

On motion of Mr. Buel, the joint resolution relative to the ex-
tension of the franking privilege, was taken up for consideration.

Mr. Butler moved to amend by striking out the word “ gover-
nor,” and inserting the words “ state and county officers of the
several states,” which question was decided, by yeas and nays,
in the negative, as follows :

YEAS.

Mr. Butler,	Mr. J. M. Howard,	Mr. Payne,
Mr. Champlin,	Mr. Hotchkiss,	Mr. Thompson,
Mr. Cooley,	Mr. Kellogg,	Mr. Vickery,
Mr. Draper,	Mr. McClelland,	Mr. Williams,
Mr. Goodman,	Mr. Odell,	

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NAYS.

Mr. Adams,	Mr. Doty,	Mr. Pray,
Mr. Ball,	Mr. Gidley,	Mr. Poucher,
Mr. Burke,	Mr. J. Howard,	Mr. Risdon,
Mr. Bement,	Mr. Kent,	Mr. H. Smith,
Mr. Buel,	Mr. King,	Mr. Sheldon,
Mr. Beaufait,	Mr. Lacy,	Mr. Wakefield,
Mr. Bowman,	Mr. Lane,	Mr. Wixom,
Mr. Cook,	Mr. Moran,	Mr. Wadham,
Mr. Crane,		

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Mr. Henry Smith moved to amend by inserting after the word "privilege," the words "in the case of all official documents to and from," which question was decided in the negative.

The question being upon the final passage of the resolution, it was decided, by yeas and nays, in the affirmative as follows:

YEAS.

Mr. Adams,	Mr. Gidley,	Mr. Pray,
Mr. Ball,	Mr. Gantt,	Mr. Poucher,
Mr. Bement,	Mr. J. Howard,	Mr. Risdon,
Mr. Buel,	Mr. Kent,	Mr. H. Smith,
Mr. Beaufait,	Mr. King,	Mr. Wakefield,
Mr. Cook,	Mr. Lancaster,	Mr. Wixom,
Mr. Doty,	Mr. Moran,	Mr. Wadham, 21

NAYS.

Mr. Burke,	Mr. Goodman,	Mr. Odell,
Mr. Butler,	Mr. J. M. Howard,	Mr. Payne,
Mr. Bowman,	Mr. Hotchkiss,	Mr. Sheldon,
Mr. Champlin,	Mr. Kellogg,	Mr. Thompson,
Mr. Cooley,	Mr. Lacey,	Mr. Vickery,
Mr. Crane,	Mr. Lane,	Mr. Williams,
Mr. Draper,	Mr. McClelland,	20

Mr. J. M. Howard presented a protest, which was, in pursuance of a provision of the constitution, ordered to be placed upon the journal.

[See Document No. 34.]

On motion of Mr. Risdon, the House resolved itself into committee of the whole, Mr. Lancaster in the chair, upon a bill from the Senate, entitled "A bill to authorize the laying out of a state road from Niles to Kalamazoo," and after some time spent thereon, the committee rose, and through their chairman, reported the same to the House without amendment, and said bill was laid upon the table.

On motion of Mr. Kellogg, the House went into a committee of the whole, Mr. Moran in the chair, upon bill number eleven, entitled "A bill to incorporate the village of Allegan," also bill number thirty-five, entitled "A bill to incorporate the Clinton salt works company," and after some time spent thereon, the committee rose, and through their chairman, reported the same to the House with sundry amendments, which were concurred in, with

the exception of an amendment proposed by Mr. Crane to section eleven of bill number thirty-five, viz: to add the words "provided no evidence of debt shall be issued by said company of a less denomination than one hundred dollars," when

Mr. Cook moved to amend the amendment by striking out the whole of said section eleven, which was decided, by yeas and nays, in the affirmative, as follows:

YEAS.

Mr. Adams,	Mr. Draper,	Mr. Pray,
Mr. Ball,	Mr. Goodman,	Mr. Payne,
Mr. Burke,	Mr. Gantt,	Mr. Poucher,
Mr. Buel,	Mr. J. M. Howard,	Mr. H. Smith,
Mr. Beaufait,	Mr. Kent,	Mr. Sheldon,
Mr. Butler,	Mr. King,	Mr. Thompson,
Mr. Bowman,	Mr. Lacey,	Mr. Wakefield,
Mr. Buckbee,	Mr. McClelland,	Mr. Wixom,
Mr. Cook,	Mr. Moran,	Mr. Wadhamns,
Mr. Crane,	Mr. Odell,	Mr. Williams,
Mr. Doty,		

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NAYS.

Mr. Bement,	Mr. J. Howard,	Mr. Lancaster,
Mr. Champlin,	Mr. Hotchkiss,	Mr. Risdon,
Mr. Cooley,	Mr. Kellogg,	Mr. Vickery,
Mr. Gidley,		

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And said bill, number thirty-five, was referred to the committee on the judiciary.

On motion of Mr. Cook, bill number eleven was amended by inserting after the word "provided," in line four of section twelve, the words "the citizens of said village shall first authorize such tax by a majority of votes at a public meeting to be called for that purpose."

Mr. Gantt gave notice that at some future day he should ask leave to introduce a bill to incorporate the president, directors and company of the People's state bank of Michigan.

Mr. Cook gave notice that at some future time he should ask leave to bring in a bill to amend an act to provide for the appointment of a state printer, approved March 3, 1837.

The following message was received from the Executive through C. C. Jackson, Esq. his private secretary:

To the House of Representatives:

I have this day approved and filed in the office of the Secretary of State, the following act, viz: "An act for the destruction of wolves."

STEVENS T. MASON.

February 9, 1838.

On motion, the House adjourned.

Saturday, February 10.

The House met pursuant to adjournment.

Prayer by the Rt. Rev. Bishop McCosky.

The roll having been called, there were absent, Messrs, Bowman, Charter, Draper, J. Howard, Lancaster and Moran.

The proceedings of yesterday having been read,

Leave of absence was granted to Mr. Bowman, for ten days; to Mr. Charter for one day; to Mr. Draper for two days; to Mr. Lancaster for ten days, and to the Speaker for one day.

Petitions presented: by Mr. Wadhams in relation to the northern railroad; referred to the select committee. By Mr. Henry Smith, from sundry citizens of the city of Monroe, for the incorporation of the Monroe city guards; on his motion was referred to the committee on the militia. By Mr. Kellogg, from sundry inhabitants of the county of Allegan, for the organization of the town of Richmond; referred to the committee on towns and counties. By Mr. Lane, relative to the southern railroad; referred to the committee of investigation. By Mr. Kent, for the privilege of constructing a dam across Coldwater river in Branch county; on university and school lands. By Mr. Cook, from the committee of the mechanical society of the city of Detroit, for a renewal of their charter; referred to the committee on the judiciary.

Mr. Buckbee presented a claim of Austin M. Gould. Referred to the committee on claims.

Mr. Wakefield, from the committee on university and school lands, presented a report together with sundry documents, which having been read, were laid upon the table and ordered to be printed.

[See Document No. 35.]

The following message was received from the Executive, through C. C. Jackson, Esq. his private secretary :

To the House of Representatives:

In compliance with a joint resolution of the Senate and House of Representatives, requiring information relative to certain disbursements of public moneys and for other purposes, I transmit the accompanying papers as embracing the information desired.

The only moneys drawn by me from the territorial treasury for disbursements, to be found on the books of the late Treasurer of the territory, as appears by the accompanying papers, are as follows, viz :

One thousand dollars drawn March 23, 1835, and two thousand three hundred and sixty-eight dollars ninety-five cents, drawn September 15, 1834 ; but on a private account book kept by myself during the period of the disbursements referred to, I find I have charged myself with an additional sum of fifteen hundred dollars. It will also be seen, that I borrowed of the State bank of Michigan, a further sum of twenty-seven hundred dollars, which is embraced in the accounts current accompanying this communication, and which sum was repaid by an act of appropriation November 14, 1835. It will also appear by the accompanying papers, that two thousand two hundred and thirty-six dollars and forty-five cents, was also refunded by me to the State Treasurer, under a resolution approved November 14, 1835, to make up a deficiency existing in the funds required to meet the payments due the members of the legislature at that period. By a reference to all the papers, however, it will be seen, that no balance remains in my hands.

In answer to the enquiry whether any sum was loaned under the act of August 24, 1835, authorizing a loan of three hundred and ten thousand dollars, I beg leave here to state, that although I visited the city of New York at the time, for the purpose of raising means to meet the claims then existing against the territory, yet from the defects of the law, I failed in the attempted negotiation. In answer to the further enquiry whether this act is still in force, I would respectfully refer you to the laws of Michigan, or to the Attorney General of the state. The accompanying report of the State Treasurer, will also exhibit the disbursement of the

contingent fund under the direction of the Executive since the first organization of the state government.

STEVENS T. MASON.

Feb. 8, 1838.

On motion of Mr. J. M. Howard, the message and accompanying documents were laid on the table and ordered to be printed.

[See Document No. 37.]

On motion of Mr. Butler, the report of the commissioners on the state penitentiary, was referred to the committee on the state prison.

The Chair announced a message from the Senate, in the words following:

Mr. SPEAKER—In pursuance of the rules of the Senate, I herewith return without amendment the several bills from the House of Representatives entitled “A bill for the relief of the inhabitants of Penn township, in the county of Cass,” “A bill appointing commissioners to lay out and establish certain state roads,” and “A bill to change the names of the township of Lenawee and the village of Whitmanville.”

Mr. Wakefield offered the following joint resolution, which, according to rule, was laid upon the table for one day.

Resolved by the Senate and House of Representatives, of the State of Michigan, That the collectors of taxes of the several counties, and the Treasurer of this state, be directed to receive in payment of any taxes hereafter levied, or to be collected within this state, the notes of all banks which shall have been possessed at the last visitation of the Bank Commissioner or Commissioners, prior to such levying or collection of such tax, of fifty per centum of its circulation in specie, or shall have given ample security to this state for the full redemption of the issues of said bank, and no others.

And that the Treasurer of this state be further directed to receive in payment for all and any state taxes now levied or collected, the notes of all banks which shall have given to this state sufficient security for the redemption of their issues.

The bill from the Senate entitled "A bill to authorize the laying out a state road from Niles to Kalamazoo," heretofore laid on the table, was taken up and read the third time and passed.

Bills number twenty-four and twenty-nine, heretofore ordered to be engrossed, entitled "A bill to provide for the improvement of the state salt springs," and "A bill appointing commissioners to lay out and establish certain state roads, and for other purposes," were taken up, read the third time and passed.

On motion of Mr. Champlin, the report of the committee on the militia was ordered to be printed.

[See Document No. 38.]

On motion, the House resolved itself into committee of the whole, Mr. Kellogg in the chair, upon bills number twenty-eight, thirty-one, and thirty-six, entitled "A bill to incorporate the village of Utica," and "A bill to amend an act entitled 'An act for the regulation of internal improvement and for the appointment of a board of commissioners,'" and "A bill to encourage the publication of the history of Michigan, and of the gazetteer of Michigan, and to subscribe for three hundred copies of each," and after some time spent thereon, the committee rose, and through their chairman reported the same to the House with sundry amendments, which were concurred in.

Bill number twenty-eight was then ordered to be engrossed for a third reading.

Bill number thirty-six, entitled as above, was then ordered to be engrossed for a third reading.

The question being upon the engrossment of bill number thirty-one, entitled as above, Mr. Champlin moved to lay it upon the table, which question was decided in the affirmative.

Mr. Gant moved a reconsideration of the vote last taken, which question was decided in the affirmative, by yeas and nays, as follows :

YEAS.

Mr. Butler,
Mr. Champlin,
Mr. Cook,
Mr. Cooley,
Mr. Goodman,
Mr. Gidley,

Mr. J. M. Howard, Mr. Payne,
Mr. Kellogg, Mr. Sheldon,
Mr. King, Mr. Vickery,
Mr. Lacey, Mr. Williams,
Mr. Lane, Mr. Speaker,
Mr. Odell,

NAYS.

Mr. Adams,	Mr. Buckbee,	Mr. Pray,
Mr. Ball,	Mr. Crane,	Mr. Poucher,
Mr. Burke,	Mr. Doty,	Mr. Risdon,
Mr. Bement,	Mr. Gantt,	Mr. Thompson,
Mr. Buel,	Mr. Hotchkiss,	Mr. Wixom,
Mr. Beaufait,	Mr. Kent,	Mr. Wadham, 18

Mr. Gantt moved to strike out all after the enacting clause of bill thirty-one as above, which was decided, by yeas and nays, in the negative, as follows:

YEAS.

Mr. Adams,	Mr. Buckbee,	Mr. Poucher,
Mr. Ball,	Mr. Crane,	Mr. Thompson,
Mr. Bement,	Mr. Gantt,	Mr. Wixom,
Mr. Buel,	Mr. Hotchkiss,	Mr. Wadham, 14
Mr. Beaufait,	Mr. Kent,	

NAYS.

Mr. Burke,	Mr. Gidley,	Mr. Pray,
Mr. Butler,	Mr. J. M. Howard,	Mr. Payne,
Mr. Champlin,	Mr. Kellogg,	Mr. Risdon,
Mr. Cook,	Mr. King,	Mr. Sheldon,
Mr. Cooley,	Mr. Lacey,	Mr. Vickery,
Mr. Doty,	Mr. Lane,	Mr. Williams,
Mr. Goodman,	Mr. Odell,	20

Said bill was then ordered to be engrossed for a third reading.

Mr. Buckbee, from the majority of the select committee to which was referred a resolution relative to the report of the State Treasurer, reported thereon, which having been read, was laid upon the table and ordered to be printed.

[See Document No. 39.]

Mr. J. M. Howard, from the minority of the same committee, reported thereon, which having been read, was laid on the table and ordered to be printed.

[See Document No. 40.]

The Chair announced a communication from the Auditor General relative to money to be received for taxes, which having been read, was referred to the committee on ways and means.

Mr. Gantt, gave notice that at some future day he should ask

leave to introduce a bill for the location of the state prison, and to provide for the manufacture of paper by the prisoners therein.

On motion, the House adjourned until Monday morning at half past nine.

Monday, February 12.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Thompson.

The roll having been called,

The proceedings of Saturday were read.

Petitions presented : By Mr. Kent, in relation to the southern railroad ; referred to the select committee of investigation. By Mr. Ball, for the organization of sundry townships ; referred to the committee on towns and counties. Remonstrance presented by Mr. Thompson against the improvement of Evans' creek by draining Sand Lake ; referred to the committee on roads and bridges.

Mr. Butler, from the committee on university and school lands, reported a bill entitled " An act authorizing the commissioner of common schools of the township of Erie, in Monroe county, to collect certain rents therein mentioned," which was read the first and second times and laid upon the table.

Bills introduced according to notice given and leave granted : By Mr. Gantt, a bill entitled " A bill to incorporate the subscribers to the People's Bank of Michigan," read the first and second times and referred to the committee on banks and incorporations ; by Mr. Butler, a bill entitled " A bill to incorporate the Michigan institute," read the first and second times and referred to the committee on education ; by Mr. Cook, a bill entitled " A bill to amend an act to provide for the appointment of a state printer and to prescribe his powers and duties," approved March 3, 1837, read the first and second times and laid upon the table.

On motion of Mr. Crane,

Resolved, That the judiciary committee be instructed to enquire into the expediency of so amending an act entitled " An act relative to incorporations for manufacturing purposes, approved 22d

March, 1837," as to include within its provisions the manufacture of salt.

On motion of Mr. Butler,

Resolved, That the Governor of this state be requested to communicate to this House, at an early day, whether any of the state loan of five millions of dollars has been disposed of; if so, how much, at what rates, where, to whom, and when payable, and also such correspondence as may have passed between him and capitalists with regard to the same, if consistent with the public interest.

The engrossed bill number thirty-six, entitled "A bill to encourage the publication of the history of Michigan, and the gazetteer of Michigan, and to subscribe for three hundred copies of each," was taken up and read the third time and passed.

The engrossed bill number thirty-one, entitled "A bill to amend an act entitled 'An act for the regulation of internal improvement, and for the appointment of a board of commissioners,'" was taken up for a third reading, when, on motion of Mr. Gant, it was laid on the table.

On motion, the house resolved itself into a committee of the whole, Mr. Butler in the chair, upon bills number twenty-one and twenty-seven, entitled "A bill authorizing the building of a certain dam therein named," and "A bill to authorize the board of supervisors of Livingston county to borrow a certain sum of money;" after some time spent thereon, the committee rose, and reported the same to the House with sundry amendments which were concurred in, and said bills were then ordered to be engrossed for a third reading.

The House then resolved itself into a committee of the whole, Mr. Wadhams in the chair, upon bill number twenty-six, entitled "A bill to amend an act entitled 'An act to regulate and define the powers of justices of the peace and constables in civil cases,'" and after some time spent thereon, the committee rose, and through their chairman, reported the same to the House with sundry amendments, which were concurred in.

The House then resolved itself into a committee of the whole, Mr. Kellogg in the chair, upon bill number twenty-two, entitled "A bill for the apportionment of the members of the House of

Representatives of this state, and for the arrangement of the Senate districts," and after some time spent thereon, the committee rose, and through their chairman reported progress, and asked and obtained leave to sit again.

The House then resolved itself into a committee of the whole, Mr. Kent in the chair, upon bills number thirty-three and thirty-four, entitled "A bill to provide for the disposition of prisoners apprehended within the counties of Ionia and Ottawa," and "A bill to attach certain territory to the county of Ottawa for judicial purposes," and after some time spent thereon, the committee rose, and through their chairman, reported the same to the House without amendment; said bills were then ordered to be engrossed for a third reading.

Mr. McClelland presented a claim from A. Treadway, for writing done for the House, which was referred to the committee on claims.

The Chair announced the reception of title six, of part three of the revision of the laws, from the reviser, which was laid upon the table and ordered to be printed.

The House then resolved itself into a committee of the whole, upon bill number thirty-two, Mr. Payne in the chair, entitled "A bill to incorporate the village of Romeo," and after some time spent thereon, the committee rose, and through their chairman, reported the same to the House with sundry amendments; said bill was then referred to the committee on the judiciary.

On motion, the following resolution, heretofore submitted by Mr. Butler and laid upon the table, was taken up and adopted:

Resolved, That it is considered inexpedient at present for any legislative action, which will have for its object the suppression of small notes.

The House then resolved itself into a committee of the whole, Mr. Odell in the chair, upon bill number seventeen, entitled "A bill to encourage the manufacture of sugar from the beet," and after some time spent thereon, the committee rose, and through their chairman, reported the same to the House with sundry amendments, which were concurred in, and said bill was then ordered to be engrossed for a third reading, by yeas and nays, as follows:

YEAS.		
Mr. Adams,	Mr. Doty,	Mr. Lacey,
Mr. Ball,	Mr. Goodman,	Mr. Lane,
Mr. Bement,	Mr. Gidley,	Mr. Odell,
Mr. Beaufait,	Mr. Gantt,	Mr. Pray,
Mr. Butler,	Mr. J. M. Howard,	Mr. Payne,
Mr. Buckbee,	Mr. J. Howard,	Mr. Poucher,
Mr. Champlin,	Mr. Hotchkiss,	Mr. Rison,
Mr. Cooley,	Mr. Kellogg,	Mr. Sheldon,
Mr. Crane,	Mr. Kent,	Mr. Thompson, 27
NAYS.		
Mr. Burke,	Mr. McClelland,	Mr. Williams,
Mr. Cook,	Mr. Moran,	Mr. Wadham,
Mr. Charter,	Mr. Vickery,	Mr. Speaker,
Mr. King,		10

On motion of Mr. Gant,

Resolved, That the fiscal agent be, and he is hereby authorized to pay the several witnesses in attendance upon the investigation of the official conduct of the Hon. George Morell, their fees, as provided for in appropriation bill of the last session of the legislature, said witnesses as witnesses having first sworn to the amount due him or them according to the said appropriation bill, before any officer of this state competent to administer an oath.

The Chair announced a message from the Senate in the words following :

Mr. SPEAKER : In pursuance of the rules of the Senate, I here-with transmit a bill which has passed the Senate entitled "A bill to provide for the relief of the Detroit and Pontiac railroad company," in which the concurrence of the House of Representatives is respectfully requested.

The above bill was read the first and second times and referred to the committee on internal improvement.

Mr. J. Howard gave notice that on some future day he should ask leave to bring in a bill to promote the agricultural interest of the state of Michigan.

Leave of absence was granted to Mr. Henry Smith for one week, to Mr. Beaufait for two days, and Mr. Wakefield for one day.

On motion, the House adjourned.

Tuesday, February 13.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Thompson.

The roll having been called, and

The proceedings of yesterday having been read,

Petitions presented : By Mr. Ball, to authorize the supervisors of the county of Kent to loan a certain sum of money. By Mr. Beaufait, for the relief of George Laforge. By Mr. J. M. Howard, to authorize Kellogg to convey certain lands therein named ; severally referred to the committee on the judiciary. By Mr. Kent, in relation to the southern railroad ; referred to select committee of investigation. By Mr. Thompson, to alter the name of the town of Logan. By Mr. Cooley, to change the county seat of Van Buren county ; referred to the committee on towns and counties. By Mr. Spafford, to improve the water power of Evans' creek ; referred to the committee on roads and bridges.

Mr. Buel, from the committee on the judiciary, to which was referred bill number thirty-five, to incorporate the Clinton salt works company, reported the same to the House with sundry amendments, which was laid upon the table ; also reported a bill to amend an act entitled "An act to incorporate the Mechanics' society of the city of Detroit ; read the first and second times and laid upon the table ; also, who were by resolution instructed to enquire into the propriety of providing by law for the compensation of associate justices of circuit courts, reported that provision was made in the revised code ; also, who were instructed to enquire into the propriety of amending the territorial and state laws in relation to the duties of the State Treasurer, reported that such provision was also made in the revised code, which reports were accepted and the committee discharged.

Mr. Crane, from the committee on towns and counties, reported "A bill to organize certain townships and for other purposes," which was read the first and second times and laid upon the table.

Mr. Risdon offered the following joint resolution, which was read the first and second times and laid upon the table for one day.

Resolved by the Senate and House of Representatives of the State of Michigan, That the Governor be, and he is hereby requested to open a correspondence with the executive of the state of Indiana, on the subject of a co-operation in the improvement of the navigation of the St. Joseph river and Lake Michigan.

On motion of Mr. Crane, the report of the auditor of the board of internal improvement was referred to the committee on internal improvement.

The Chair announced a communication from the president of the board of internal improvement, together with the report of the engineer employed to survey the Maple river, which were laid upon the Table and ordered printed.

[See Document No. 41.]

Bills numbered eighteen, twenty-seven and thirty-three, heretofore ordered to be engrossed, entitled "A bill to incorporate the Auburn and Lapeer railroad company," "A bill to authorize the board of supervisors of Livingston county to borrow a certain sum of money," and "A bill to provide for the disposition of prisoners apprehended within the counties of Ionia and Ottawa," were taken up, read the third time and passed.

The vote on the passage of bill number eighteen, entitled as above, was as follows:

YEAS.

Mr. Adams,	Mr. Goodman,	Mr. Odell,
Mr. Ball,	Mr. Gidley,	Mr. Pray,
Mr. Burke,	Mr. Gant,	Mr. Payne,
Mr. Bement,	Mr. J. M. Howard,	Mr. Poucher,
Mr. Buel,	Mr. J. Howard,	Mr. Risdon,
Mr. Beaufait,	Mr. Hotchkiss,	Mr. Spafford,
Mr. Butler,	Mr. Kellogg,	Mr. Sheldon,
Mr. Buckbee,	Mr. Kent,	Mr. J. R. Smith,
Mr. Champlin,	Mr. King,	Mr. Thompson,
Mr. Cooley,	Mr. Lacey,	Mr. Vickery,
Mr. Crane,	Mr. Lane,	Mr. Wixom,
Mr. Charter,	Mr. McClelland,	Mr. Wadham,
Mr. Draper,	Mr. Moran,	Mr. Speaker, 39

NAYS.

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The engrossed bill, number eleven, entitled "A bill to incorporate the village of Allegan," was taken up for a third reading, when, on motion of Mr. McClelland, it was laid upon the table.

Bill number thirty-five, entitled "A bill to incorporate the Clinton salt works company," with the amendments made thereto by the committee on the judiciary, was taken up for consideration and the amendments severally concurred in.

Mr. Bement moved further to amend said bill by substituting the following section, to stand as section eleven, which was stricken out by a committee of the whole House.

"Sec. 11. For the purpose of enabling said company to complete and put in operation the necessary apparatus and machinery for the manufacture of salt, the president, directors and company are hereby authorized and empowered to loan a sum of money not exceeding forty thousand dollars, at a rate of interest not to exceed seven per cent, for a term of years not exceeding fifteen, on the bonds of said company, to be issued under the hand and seal of the secretary thereof, said bonds to be guaranteed by the state of Michigan under the great seal thereof: Provided said company shall first execute to the Auditor General for and in behalf of the state of Michigan, security by bond and mortgage to be approved of by the Auditor General for the sum of sixty thousand dollars; and provided also the said company shall commence the said improvements within ninety days from and after the passage of this act, and shall commence the actual manufacture of salt within twelve months thereafter.

Mr. J. M. Howard moved to amend the amendment by striking out in line six, "forty thousand dollars," and inserting "twenty thousand dollars," and also striking out in line sixteen, "sixty-thousand dollars," and inserting "forty thousand dollars," which was decided, by yeas and nays, in the affirmative, as follows:

YEAS.

Mr. Burke,	Mr. J. Howard,	Mr. Pray,
Mr. Beaufait,	Mr. Hotchkiss,	Mr. Payne,
Mr. Butler,	Mr. Kellogg,	Mr. Poucher,
Mr. Champlin,	Mr. Kent,	Mr. Spafford,
Mr. Cook,	Mr. King,	Mr. J. R. Smith,
Mr. Goodman,	Mr. Lacey,	Mr. Thompson,
Mr. Gidley,	Mr. Lane,	Mr. Wadham,
Mr. Gantt,	Mr. Levake,	Mr. Speaker,
Mr. J. M. Howard,		

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NAYS.

Mr. Ball,	Mr. Charter,	Mr. Risdon,
Mr. Bement,	Mr. McClelland,	Mr. Sheldon,
Mr. Buel,	Mr. Moran,	Mr. Wixom,
Mr. Crane,	Mr. Odell,	

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The question recurring upon the amendment, Mr. Gantt moved to refer said bill to the committee on agriculture, which was decided in the affirmative.

The following message was received from the Executive, through C. C. Jackson, Esq. his private secretary :

To the House of Representatives :

I have this day approved and filed in the office of the Secretary of state, the following acts, viz : "An act for the relief of the inhabitants of Penn township in the county of Cass," and "An act to change the name of the township of Lenawee, and the village of Whitmanville."

STEVENS T. MASON.

Feb. 12, 1838.

The House then resumed in committee of the whole, Mr. Kellogg in the chair, the consideration of bill number twenty-two, entitled "A bill for the apportionment of members of the House of Representatives of this state, and for the arrangement of the Senate districts," and after some time spent therein, the committee rose, and through their chairman reported progress and asked and obtained leave to sit again.

Mr. Bement gave notice, that he should at some future day ask leave to bring in a bill authorizing certain persons to build a dam across Grand river, in Eaton county.

The House then adjourned.

Wednesday, February 14.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Thompson.

The roll having been called, and

The proceedings of yesterday having been read,

Petitions presented : By Mr. Ball, to incorporate the village of Grand Rapids ; referred to the committee on banks and incorporations ; By Mr. Ball, for the construction of a canal around the Grand Rapids of Grand river ; referred to the committee on internal improvement ; By Mr. Lacy, in relation the southern rail-

road ; referred to the select committee of investigation. By Mr. Payne, for the organization of a town. By Mr. Crane, for the organization of town five north, of range three east, in the county of Shiawassee. By the Chair, for the organization of a town in the county of Livingston ; referred to the committee on towns and counties.

Mr. J. M. Howard, from the committee on the judiciary, to which was referred bill number thirty-two, "To incorporate the village of Romeo," reported the same to the House with sundry amendments, which was laid upon the table ; also to which was referred a petition of the supervisors of the county of Kent, reported a bill entitled "A bill to authorize the supervisors of the county of Kent to loan a certain sum of money, and for other purposes," which was read the first and second times and laid upon the table ; also to which was referred the petition of Giles B. Kellogg, reported a bill entitled "A bill for the relief of Giles B. Kellogg, executor of the last will and testament of Daniel M. Kellogg, deceased," which was read the first and second times and laid upon the table ; also to which was referred the petition of George Laforge for relief, reported adverse to the prayer of the petitioner and asked to be discharged from the further consideration of the subject, which was accepted and the committee discharged.

Mr. J. M. Howard, from the committee on education, to which was referred "A bill to incorporate the Michigan institute," reported the same to the House without amendment, and said bill was laid on the table to be printed.

The Chair presented a communication containing evidence touching the election in the county of Cass ; referred to the committee on elections.

Mr. Cook offered the following joint resolution, which was read the first and second times, and according to rule, laid upon the table for one day.

Resolved by the Senate and House of Representatives of the State of Michigan, That our senators in congress be instructed and our representative be requested to use their influence in procuring an appropriation, for the purpose of building a court-house within the district of Michigan for the use of the United States district and circuit courts.

On motion of Mr. Cook, the rule was suspended and said resolution was taken up for consideration.

Mr. Wixom moved to amend the resolution by striking out the words "city of Detroit," and insert the words "in the district of Michigan," which was decided, by yeas and nays, in the affirmative, as follows:

YEAS.

Mr. Adams,	Mr. Gantt,	Mr. Poucher,
Mr. Ball,	Mr. J. Howard,	Mr. Risdon,
Mr. Burke,	Mr. Hotchkiss,	Mr. H. Smith,
Mr. Bement,	Mr. Kent,	Mr. Sheldon,
Mr. Buckbee,	Mr. Lacey,	Mr. J. R. Smith,
Mr. Cooley,	Mr. Levake,	Mr. Thompson,
Mr. Crane,	Mr. McClelland,	Mr. Wixom,
Mr. Doty,	Mr. Montgomery,	Mr. Wadhams,
Mr. Decker,	Mr. Pray,	Mr. Speaker, 27

NAYS.

Mr. Buel,	Mr. Gidley,	Mr. Odell,
Mr. Butler,	Mr. J. M. Howard,	Mr. Payne,
Mr. Champlin,	Mr. Kellogg,	Mr. Spafford,
Mr. Cook,	Mr. King,	Mr. Vickery,
Mr. Draper,	Mr. Lane,	Mr. Williams,
Mr. Goodman,	Mr. Moran,	17

The question being upon the passage of the resolution, it was decided, by yeas and nays, in the affirmative, as follows:

YEAS.

Mr. Adams,	Mr. Hotchkiss,	Mr. Poucher,
Mr. Ball,	Mr. Kellogg,	Mr. Risdon,
Mr. Burke,	Mr. Kent,	Mr. H. Smith,
Mr. Bement,	Mr. Lacey,	Mr. Spafford,
Mr. Buckbee,	Mr. Levake,	Mr. Sheldon,
Mr. Cooley,	Mr. McClelland,	Mr. J. R. Smith,
Mr. Crane,	Mr. Moran,	Mr. Thompson,
Mr. Doty,	Mr. Montgomery,	Mr. Wixom,
Mr. Decker,	Mr. Odell,	Mr. Wadhams,
Mr. Gant,	Mr. Pray,	Mr. Speaker,
Mr. J. Howard,		13

NAYS.

Mr. Buel,	Mr. Goodman,	Mr. Lane,
Mr. Butler,	Mr. Gidley,	Mr. Payne,
Mr. Champlin,	Mr. J. M. Howard,	Mr. Vickery,
Mr. Cook,	Mr. King,	Mr. Williams,
Mr. Draper,		13

Mr. Buckbee offered the following resolution, and moved its adoption.

Resolved, That in all cases when a motion is referred to a committee, it shall be the duty of said committee to report the same back to the House within days thereafter, or give their reasons for not so doing.

The question being upon the adoption of said resolution, it was decided in the negative.

Mr. Buckbee offered the following resolution, which was laid upon the table.

Resolved, That the select committee, to whom was referred the subject of the relocation of the southern railroad, be and they are hereby requested to report the result of their investigation on the subject as far as they have extended it, together with the facts as far forth in their power, together with their opinion thereon as soon as may be.

Mr. Gantt offered the following resolution, and moved its adoption, which was negatived.

Resolved, That the public interest requires that the legislature shall hereafter hold two sessions a day, and that the select committee to whom was referred the petitions relative to the northern and southern railroad, hereafter hold their sittings in the library or some other convenient place, and that they be requested to report the result of their investigation as soon as practicable.

The joint resolution yesterday submitted by Mr. Risdon relative to the improvement of the navigation of the St. Joseph river of Michigan, was taken up, read a third time and passed.

The Chair announced a message from the Senate in the words following :

Mr. SPEAKER—In pursuance of the rules of the Senate, I herewith transmit a bill entitled “A bill to incorporate the Blissfield and Morenci Macadamized or turnpike road company,” and a resolution entitled “A resolution relative to the Clinton and Kalamazoo canal,” which have passed the Senate, and in which the concurrence of the House of Representatives is respectfully requested : I also herewith return without amendment the resolution from the House of Representatives relative to the temporary removal of the counting-house of the Bank of Gibraltar.

The bill and resolutions as above transmitted from the Senate, were read the first and second times, and referred to the committee on internal improvement.

Mr. Ball gave notice that at some future day he would ask leave to bring in a bill to incorporate the village of Grand Rapids.

Mr. Payne gave notice that at some future day he would ask leave to bring in a bill to incorporate the village of Clinton.

Mr. Payne gave notice that he should at some future day ask leave to bring in a bill to repeal the third and eighth section of "An act suspending for a limited time certain provisions of law, and for other purposes," approved June 22d, 1837.

Mr. Buel gave notice that he should at some future day ask leave to bring in a bill entitled "A bill to incorporate the Detroit house carpenters' and joiners' mutual benefit society."

Mr. J. M. Howard, from the committee on enrolment, reported as correctly enrolled "A bill for the relief of inhabitants of Penn township," and "A bill to change the name of the township of Lenawee and the village of Whitmanville."

On motion, the House resolved itself into a committee of the whole, Mr. Williams in the chair, upon bill number thirty-two, entitled "A bill to incorporate the village of Romeo," together with the amendments made thereto by the committee on the judiciary; and after some time spent therein, the committee rose, and through their chairman reported the same to the House with sundry amendments which were concurred in.

Mr. McClelland moved to amend said bill by striking out the seventeenth section, which was decided, by yeas and nays, in the negative, as follows:

YEAS.

Mr. Ball,	Mr. Decker,	Mr. Risdon,
Mr. Burke,	Mr. Hotchkiss,	Mr. Wixom,
Mr. Bement,	Mr. Kent,	Mr. Williams,
Mr. Crane,	Mr. McClelland,	Mr. Wadham,
Mr. Doty,	Mr. Poucher,	Mr. Speaker, 15

NAYS.

Mr. Adams,	Mr. J. M. Howard,	Mr. Pray,
Mr. Butler,	Mr. Kellogg,	Mr. Payne,
Mr. Cook,	Mr. King,	Mr. H. Smith,
Mr. Draper,	Mr. Lacey,	Mr. J. R. Smith,
Mr. Goodman,	Mr. Lane,	Mr. Thompson,
Mr. Gidley,	Mr. Odell,	Mr. Vickery, 18

Said bill was then ordered to be engrossed for a third reading.

Leave of absence was granted to Mr. Charter for ten days, and to Mr. Sheldon until Monday next.

On motion, the House adjourned.

Monday, February 15.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Thompson.

The roll having been called, and

The proceedings of yesterday having been read,

Leave of absence was granted to Mr. Buckbee for one week.

Petitions presented: By Mr. Burke, in relation to the southern railroad; referred to the select committee of investigation. By Mr. Ball, to detach sections one, two, three, four and five in township six north, of twelve west, from the town of Byron, and annex the same to the town of Kent; referred to the committee on towns and counties. By Mr. J. M. Howard, to obtain the passage of a law loaning the credit of the state to the Detroit and Pontiac railroad company; referred to the committee on internal improvement. By Mr. Buel, for the relief of Lemuel Goodell; referred to the committee on ways and means.

Mr. Bement, from the committee on banks and incorporations, to which was recommitted a bill relative to suspending the operation of the general banking law, with certain instructions, reported agreeably to such instructions a new bill entitled "A bill to amend an act entitled 'An act to amend an act to organize and regulate banking associations and for other purposes,' and to suspend the operation of the same," which was read the first and second times and laid upon the table.

Mr. Gantt, from the committee on enrolment, reported as correctly enrolled a joint resolution relative to the Gibraltar Bank.

Mr. Gidley, from the committee on agriculture and manufactures, to which was referred the bill to incorporate the Clinton salt works company, reported the same to the House with sundry amendments, which were laid upon the table.

Mr. McClelland, from the committee on internal improvement, to which was referred the bill from the Senate, entitled "A bill to provide for the relief of the Detroit and Pontiac railroad company," reported the same to the House with an amendment, which was laid on the table.

Mr. Kellogg offered the following joint resolution, which was read the first and second times, and according to rule, laid upon the table for one day.

Resolved by the Senate and House of Representatives of the State of Michigan, That the construction of a ship canal around the Falls of Niagara, should be regarded as a national work, giving security to our commercial intercourse with foreign powers, and necessary as an effectual means of national security ; therefore,

Resolved, That the interests of Michigan are deeply involved in the construction of said canal, and that our senators in congress be instructed and our representative be requested to co-operate in obtaining an appropriation for the construction of a ship canal around the Falls of Niagara.

The rule being suspended, the resolution was read the third time and passed.

The Chair announced a communication from the reviser of the laws, transmitting title seven of part three, "Of the limitation of actions," which was laid on the table and ordered to be printed.

The Chair announced a message from the Senate, in the words following :

Mr. SPEAKER—In pursuance of the rules of the Senate, I herewith transmit two bills, which have passed the Senate, entitled "A bill for the relief of the Shelby and Detroit railroad company," and "A bill to amend an act entitled 'An act to lay out and establish a state road from Ypsilanti in Washtenaw county, to Ridgeway in Lenawee county, approved March 14, 1837,'" in which bills the concurrence of the House of Representatives is respectfully requested. I also herewith return without amendment the bill entitled "A bill appointing commissioners to lay out and establish certain state roads, and for other purposes."

The bill from the Senate entitled "A bill to amend an act entitled 'An act to lay out and establish a state road from Ypsilanti in Washtenaw county, to Ridgeway in Lenawee county, approved March 14, 1837,'" was read the first and second times and referred to the committee on roads and bridges ; and the bill entitled "A bill for the relief of the Shelby and Detroit railroad compa-

ny," was read the first and second times and referred to the committee on internal improvement.

The House then resolved itself into a committee of the whole, Mr. J. M. Howard in the chair, upon a bill from the Senate entitled "A bill to provide for the relief of the Detroit and Pontiac railroad company," and after some time spent thereon, the committee rose, and through their chairman reported the same to the House with sundry amendments, which were concurred in.

Mr. McClelland moved to lay the bill upon the table, which was decided in the affirmative.

Mr. Spafford presented a remonstrance of sundry inhabitants of the county of Lenawee, against the laying out of a state road therein named ; referred to the committee on roads and bridges.

On motion, the House adjourned.

Friday, February 16.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Thompson.

The roll having been called, and

The proceedings of yesterday having been read,

Petitions presented : B Mr. Crane, for a state road from Howell to Ingham centre ; referred to the committee on roads and bridges. By Mr. Montgomery, for a division of the township of Summerfield ; referred to the committee on towns and counties. By Mr. Cooley, for an appropriation to construct a railroad from Allegan to Kalamazoo village ; also for an appropriation to improve the navigation of the Kalamazoo river, or for the construction of a railroad from the village of Allegan to Kalamazoo ; referred to the committee on internal improvement.

Mr. McClelland, from the committee on internal improvement, to which was referred a petition relative to the Detroit and Pontiac railroad company, reported that they had already complied with the prayer of the petitioners, and asked to be discharged from the further consideration of the subject, which report was accepted and the committee discharged ; also the bill from the Senate entitled "A bill to incorporate the Blissfield and Morenci

Macadamized or turnpike road," reported the same to the House without amendment, which was laid upon the table.

Mr. Crane, from the committee on towns and counties, reported a bill entitled "A bill to organize the county of Ingham," which was read the first and second times and laid upon the table.

On motion of Mr. Cooley,

Resolved, That the committee on internal improvement be and they are hereby requested to enquire into the propriety of authorizing the board of commissioners of internal improvement to change the western termination of the Clinton canal, to some point on the Kalamazoo river above its mouth.

On motion of Mr. McClelland,

Resolved, That on and after Wednesday next, the House have two sessions each day, commencing at half past nine in the morning and half past two in the afternoon.

Mr. Cook presented a claim of John Berry, Esq. for services rendered as assistant enrolling clerk at the extra session of the legislature, which was referred to the committee on claims.

The following message was received from the Senate, through their secretary :

Mr. SPEAKER—In pursuance of the rules of the Senate, I here-with return, without amendment, the resolution relative to the erection of a court-house for the United States courts in the district of Michigan, and the resolution relative to the improvement of the St. Joseph river of Lake Michigan.

The House took up for consideration the bill from the Senate, yesterday laid upon the table, entitled "A bill to provide for the relief of the Detroit and Pontiac railroad company."

Mr. Butler moved to amend section one, by inserting in line four after the word "company," the words "and to the Macomb and Saginaw railroad company," and after the word "dollars," in line five the word "each." which was decided, by yeas and nays, in the negative, as follows:

YEAS.

Mr. Butler,
Mr. Hotchkiss,

Mr. Lacey,
Mr. Lane,

Mr. Odell,
Mr. Spafford,

NAYS.

Mr. Adams,	Mr. Goodman,	Mr. Payne,
Mr. Ball,	Mr. Gidley,	Mr. Risdon,
Mr. Burke,	Mr. Gantt,	Mr. H. Smith,
Mr. Bement,	Mr. J. Howard,	Mr. J. R. Smith,
Mr. Beaufait,	Mr. Kellogg,	Mr. Wakefield,
Mr. Champlin,	Mr. Kent,	Mr. Wixom,
Mr. Cooley,	Mr. King,	Mr. Williams,
Mr. Crane,	Mr. Moran,	Mr. Wadhams,
Mr. Decker,	Mr. Montgomery,	Mr. Speaker,
Mr. Draper,	Mr. Pray,	

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Mr. Cook moved to amend section one by striking out in line five the word "reimbursable," and inserting "payable," also in line six striking out the word "seven," and inserting "six," also in line seven striking out the words "at the office of the treasurer of this state," and inserting the words "at the city of New York," which question was decided, by yeas and nays, in the affirmative, as follows:

YEAS.

Mr. Adams,	Mr. Goodman,	Mr. Odell,
Mr. Ball,	Mr. Gidley,	Mr. Pray,
Mr. Burke,	Mr. Gantt,	Mr. Payne,
Mr. Bement,	Mr. J. Howard,	Mr. Poucher,
Mr. Beaufait,	Mr. Hotchkiss,	Mr. Risdon,
Mr. Butler,	Mr. Kellogg,	Mr. H. Smith,
Mr. Champlin,	Mr. Kent,	Mr. Spafford,
Mr. Cook,	Mr. King,	Mr. J. R. Smith,
Mr. Cooley,	Mr. Lacey,	Mr. Wakefield,
Mr. Crane,	Mr. Lane,	Mr. Wixom,
Mr. Decker,	Mr. Moran,	Mr. Wadhams,
Mr. Draper,	Mr. Montgomery,	Mr. Speaker,

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NAYS.

0

Mr. Butler moved further to amend section one, by inserting at the end thereof, a proviso in the words following: Provided that the electors of the state of Michigan, at their next township meeting, shall give their assent to the same," which question was decided, by yeas and nays, in the negative, as follows :

YEAS.

Mr. Butler,	Mr. Odell,	
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2

NAYS.

Mr. Adams,	Mr. Gidley,	Mr. Pray,
Mr. Ball,	Mr. Gantt,	Mr. Payne,
Mr. Burke,	Mr. J. Howard,	Mr. Risdon,
Mr. Bement,	Mr. Hotchkiss,	Mr. H. Smith,
Mr. Beaufait,	Mr. Kellogg,	Mr. Spafford,
Mr. Champlin,	Mr. Kent,	Mr. J. R. Smith,
Mr. Cook,	Mr. King,	Mr. Wakefield,
Mr. Cooley,	Mr. Lane,	Mr. Wixom,
Mr. Crane,	Mr. McClelland,	Mr. Williams,
Mr. Decker,	Mr. Moran,	Mr. Wadham,
Mr. Draper,	Mr. Montgomery,	Mr. Speaker,
Mr. Goodman,		

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Mr. Butler moved to amend section two, by striking out "one hundred and fifty," and inserting "two hundred," which was decided, by yeas and nays, in the negative, as follows:

YEAS.

Mr. Butler,	Mr. Moran,	Mr. Vickery,
Mr. Cook,	Mr. Montgomery,	Mr. Wakefield,
Mr. J. Howard,	Mr. Odell,	Mr. Williams,
Mr. Hotchkiss,	Mr. Pray,	Mr. Wadham,
Mr. Lane,	Mr. H. Smith,	Mr. Speaker,
Mr. McClelland,	Mr. J. R. Smith,	

17

NAYS.

Mr. Adams,	Mr. Crane,	Mr. Kellogg,
Mr. Ball,	Mr. Doty,	Mr. Kent,
Mr. Burke,	Mr. Decker,	Mr. King,
Mr. Bement,	Mr. Draper,	Mr. Payne,
Mr. Beaufait,	Mr. Gidley,	Mr. Spafford,
Mr. Champlin,	Mr. Gantt,	Mr. Wixom,

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On motion of Mr. Crane, section eight was amended by inserting after the word "thereof," in line two, the words "or in completing said road by the first day of May, 1839."

On motion of Mr. McClelland, said section was further amended by striking out the amendment of Mr. Crane, also inserting the following proviso:

"Provided, moreover, that if said road is not completed on or before the 1st day of May, 1839, the charter of said company shall become forfeited, and the said road and appurtenances and all and singular the rights, interests and franchises of said company shall belong to, and be the property of this state, and this provision shall

road ; referred to the select committee of investigation. By Mr. Payne, for the organization of a town. By Mr. Crane, for the organization of town five north, of range three east, in the county of Shiawassee. By the Chair, for the organization of a town in the county of Livingston ; referred to the committee on towns and counties.

Mr. J. M. Howard, from the committee on the judiciary, to which was referred bill number thirty-two, "To incorporate the village of Romeo," reported the same to the House with sundry amendments, which was laid upon the table ; also to which was referred a petition of the supervisors of the county of Kent, reported a bill entitled "A bill to authorize the supervisors of the county of Kent to loan a certain sum of money, and for other purposes," which was read the first and second times and laid upon the table ; also to which was referred the petition of Giles B. Kellogg, reported a bill entitled "A bill for the relief of Giles B. Kellogg, executor of the last will and testament of Daniel M. Kellogg, deceased," which was read the first and second times and laid upon the table ; also to which was referred the petition of George Laforge for relief, reported adverse to the prayer of the petitioner and asked to be discharged from the further consideration of the subject, which was accepted and the committee discharged.

Mr. J. M. Howard, from the committee on education, to which was referred "A bill to incorporate the Michigan institute," reported the same to the House without amendment, and said bill was laid on the table to be printed.

The Chair presented a communication containing evidence touching the election in the county of Cass ; referred to the committee on elections.

Mr. Cook offered the following joint resolution, which was read the first and second times, and according to rule, laid upon the table for one day.

Resolved by the Senate and House of Representatives of the State of Michigan, That our senators in congress be instructed and our representative be requested to use their influence in procuring an appropriation, for the purpose of building a court-house within the district of Michigan for the use of the United States district and circuit courts.

On motion of Mr. Cook, the rule was suspended and said resolution was taken up for consideration.

Mr. Wixom moved to amend the resolution by striking out the words "city of Detroit," and insert the words "in the district of Michigan," which was decided, by yeas and nays, in the affirmative, as follows :

YEAS.

Mr. Adams,	Mr. Gantt,	Mr. Poucher,
Mr. Ball,	Mr. J. Howard,	Mr. Risdon,
Mr. Burke,	Mr. Hotchkiss,	Mr. H. Smith,
Mr. Bement,	Mr. Kent,	Mr. Sheldon,
Mr. Buckbee,	Mr. Lacey,	Mr. J. R. Smith,
Mr. Cooley,	Mr. Levake,	Mr. Thompson,
Mr. Crane,	Mr. McClelland,	Mr. Wixom,
Mr. Doty,	Mr. Montgomery,	Mr. Wadham,
Mr. Decker,	Mr. Pray,	Mr. Speaker, 27

NAYS.

Mr. Buel,	Mr. Gidley,	Mr. Odell,
Mr. Butler,	Mr. J. M. Howard,	Mr. Payne,
Mr. Champlin,	Mr. Kellogg,	Mr. Spafford,
Mr. Cook,	Mr. King,	Mr. Vickery,
Mr. Draper,	Mr. Lane,	Mr. Williams,
Mr. Goodman,	Mr. Moran,	17

The question being upon the passage of the resolution, it was decided, by yeas and nays, in the affirmative, as follows :

YEAS.

Mr. Adams,	Mr. Hotchkiss,	Mr. Poucher,
Mr. Ball,	Mr. Kellogg,	Mr. Risdon,
Mr. Burke,	Mr. Kent,	Mr. H. Smith,
Mr. Bement,	Mr. Lacey,	Mr. Spafford,
Mr. Buckbee,	Mr. Levake,	Mr. Sheldon,
Mr. Cooley,	Mr. McClelland,	Mr. J. R. Smith,
Mr. Crane,	Mr. Moran,	Mr. Thompson,
Mr. Doty,	Mr. Montgomery,	Mr. Wixom,
Mr. Decker,	Mr. Odell,	Mr. Wadham,
Mr. Gant,	Mr. Pray,	Mr. Speaker,
Mr. J. Howard,		13

NAYS.

Mr. Buel,	Mr. Goodman,	Mr. Lane,
Mr. Butler,	Mr. Gidley,	Mr. Payne,
Mr. Champlin,	Mr. J. M. Howard,	Mr. Vickery,
Mr. Cook,	Mr. King,	Mr. Williams,
Mr. Draper,		13

Mr. Buckbee offered the following resolution, and moved its adoption.

Resolved, That in all cases when a motion is referred to a committee, it shall be the duty of said committee to report the same back to the House within days thereafter, or give their reasons for not so doing.

The question being upon the adoption of said resolution, it was decided in the negative.

Mr. Buckbee offered the following resolution, which was laid upon the table.

Resolved, That the select committee, to whom was referred the subject of the relocation of the southern railroad, be and they are hereby requested to report the result of their investigation on the subject as far as they have extended it, together with the facts as far forth in their power, together with their opinion thereon as soon as may be.

Mr. Gantt offered the following resolution, and moved its adoption, which was negatived.

Resolved, That the public interest requires that the legislature shall hereafter hold two sessions a day, and that the select committee to whom was referred the petitions relative to the northern and southern railroad, hereafter hold their sittings in the library or some other convenient place, and that they be requested to report the result of their investigation as soon as practicable.

The joint resolution yesterday submitted by Mr. Risdon relative to the improvement of the navigation of the St. Joseph river of Michigan, was taken up, read a third time and passed.

The Chair announced a message from the Senate in the words following :

Mr. SPEAKER—In pursuance of the rules of the Senate, I herewith transmit a bill entitled “A bill to incorporate the Blissfield and Morenci Macadamized or turnpike road company,” and a resolution entitled “A resolution relative to the Clinton and Kalamazoo canal,” which have passed the Senate, and in which the concurrence of the House of Representatives is respectfully requested : I also herewith return without amendment the resolution from the House of Representatives relative to the temporary removal of the counting-house of the Bank of Gibraltar.

The bill and resolutions as above transmitted from the Senate, were read the first and second times, and referred to the committee on internal improvement.

Mr. Ball gave notice that at some future day he would ask leave to bring in a bill to incorporate the village of Grand Rapids.

Mr. Payne gave notice that at some future day he would ask leave to bring in a bill to incorporate the village of Clinton.

Mr. Payne gave notice that he should at some future day ask leave to bring in a bill to repeal the third and eighth section of "An act suspending for a limited time certain provisions of law, and for other purposes," approved June 22d, 1837.

Mr. Buel gave notice that he should at some future day ask leave to bring in a bill entitled "A bill to incorporate the Detroit house carpenters' and joiners' mutual benefit society."

Mr. J. M. Howard, from the committee on enrolment, reported as correctly enrolled "A bill for the relief of inhabitants of Penn township," and "A bill to change the name of the township of Lenawee and the village of Whitmanville."

On motion, the House resolved itself into a committee of the whole, Mr. Williams in the chair, upon bill number thirty-two, entitled "A bill to incorporate the village of Romeo," together with the amendments made thereto by the committee on the judiciary; and after some time spent therein, the committee rose, and through their chairman reported the same to the House with sundry amendments which were concurred in.

Mr. McClelland moved to amend said bill by striking out the seventeenth section, which was decided, by yeas and nays, in the negative, as follows:

YEAS.

Mr. Ball,	Mr. Decker,	Mr. Risdon,
Mr. Burke,	Mr. Hotchkiss,	Mr. Wixom,
Mr. Bement,	Mr. Kent,	Mr. Williams,
Mr. Crane,	Mr. McClelland,	Mr. Wadhams,
Mr. Doty,	Mr. Poucher,	Mr. Speaker, 15

NAYS.

Mr. Adams,	Mr. J. M. Howard,	Mr. Pray,
Mr. Butler,	Mr. Kellogg,	Mr. Payne,
Mr. Cook,	Mr. King,	Mr. H. Smith,
Mr. Draper,	Mr. Lacey,	Mr. J. R. Smith,
Mr. Goodman,	Mr. Lane,	Mr. Thompson,
Mr. Gidley,	Mr. Odell,	Mr. Vickery, 18

Said bill was then ordered to be engrossed for a third reading.

Leave of absence was granted to Mr. Charter for ten days, and to Mr. Sheldon until Monday next.

On motion, the House adjourned.

Monday, February 15.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Thompson.

The roll having been called, and

The proceedings of yesterday having been read,

Leave of absence was granted to Mr. Buckbee for one week.

Petitions presented: By Mr. Burke, in relation to the southern railroad; referred to the select committee of investigation. By Mr. Ball, to detach sections one, two, three, four and five in township six north, of twelve west, from the town of Byron, and annex the same to the town of Kent; referred to the committee on towns and counties. By Mr. J. M. Howard, to obtain the passage of a law loaning the credit of the state to the Detroit and Pontiac railroad company; referred to the committee on internal improvement. By Mr. Buel, for the relief of Lemuel Goodell; referred to the committee on ways and means.

Mr. Bement, from the committee on banks and incorporations, to which was recommitted a bill relative to suspending the operation of the general banking law, with certain instructions, reported agreeably to such instructions a new bill entitled "A bill to amend an act entitled 'An act to amend an act to organize and regulate banking associations and for other purposes,' and to suspend the operation of the same," which was read the first and second times and laid upon the table.

Mr. Gantt, from the committee on enrolment, reported as correctly enrolled a joint resolution relative to the Gibraltar Bank.

Mr. Gidley, from the committee on agriculture and manufactures, to which was referred the bill to incorporate the Clinton salt works company, reported the same to the House with sundry amendments, which were laid upon the table.

Mr. McClelland, from the committee on internal improvement, to which was referred the bill from the Senate, entitled "A bill to provide for the relief of the Detroit and Pontiac railroad company," reported the same to the House with an amendment, which was laid on the table.

Mr. Kellogg offered the following joint resolution, which was read the first and second times, and according to rule, laid upon the table for one day.

Resolved by the Senate and House of Representatives of the State of Michigan, That the construction of a ship canal around the Falls of Niagara, should be regarded as a national work, giving security to our commercial intercourse with foreign powers, and necessary as an effectual means of national security ; therefore,

Resolved, That the interests of Michigan are deeply involved in the construction of said canal, and that our senators in congress be instructed and our representative be requested to co-operate in obtaining an appropriation for the construction of a ship canal around the Falls of Niagara.

The rule being suspended, the resolution was read the third time and passed.

The Chair announced a communication from the reviser of the laws, transmitting title seven of part three, "Of the limitation of actions," which was laid on the table and ordered to be printed.

The Chair announced a message from the Senate, in the words following :

Mr. SPEAKER—In pursuance of the rules of the Senate, I herewith transmit two bills, which have passed the Senate, entitled "A bill for the relief of the Shelby and Detroit railroad company," and "A bill to amend an act entitled 'An act to lay out and establish a state road from Ypsilanti in Washtenaw county, to Ridgeway in Lenawee county, approved March 14, 1837,'" in which bills the concurrence of the House of Representatives is respectfully requested. I also herewith return without amendment the bill entitled "A bill appointing commissioners to lay out and establish certain state roads, and for other purposes."

The bill from the Senate entitled "A bill to amend an act entitled 'An act to lay out and establish a state road from Ypsilanti in Washtenaw county, to Ridgeway in Lenawee county, approved March 14, 1837,'" was read the first and second times and referred to the committee on roads and bridges ; and the bill entitled "A bill for the relief of the Shelby and Detroit railroad compa-

ny," was read the first and second times and referred to the committee on internal improvement.

The House then resolved itself into a committee of the whole, Mr. J. M. Howard in the chair, upon a bill from the Senate entitled "A bill to provide for the relief of the Detroit and Pontiac railroad company," and after some time spent thereon, the committee rose, and through their chairman reported the same to the House with sundry amendments, which were concurred in.

Mr. McClelland moved to lay the bill upon the table, which was decided in the affirmative.

Mr. Spafford presented a remonstrance of sundry inhabitants of the county of Lenawee, against the laying out of a state road therein named ; referred to the committee on roads and bridges.

On motion, the House adjourned.

Friday, February 16.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Thompson.

The roll having been called, and

The proceedings of yesterday having been read,

Petitions presented : B Mr. Crane, for a state road from Howell to Ingham centre ; referred to the committee on roads and bridges. By Mr. Montgomery, for a division of the township of Summerfield ; referred to the committee on towns and counties. By Mr. Cooley, for an appropriation to construct a railroad from Allegan to Kalamazoo village ; also for an appropriation to improve the navigation of the Kalamazoo river, or for the construction of a railroad from the village of Allegan to Kalamazoo ; referred to the committee on internal improvement.

Mr. McClelland, from the committee on internal improvement, to which was referred a petition relative to the Detroit and Pontiac railroad company, reported that they had already complied with the prayer of the petitioners, and asked to be discharged from the further consideration of the subject, which report was accepted and the committee discharged ; also the bill from the Senate entitled "A bill to incorporate the Blissfield and Morenci

Macadamized or turnpike road," reported the same to the House without amendment, which was laid upon the table.

Mr. Crane, from the committee on towns and counties, reported a bill entitled "A bill to organize the county of Ingham," which was read the first and second times and laid upon the table.

On motion of Mr. Cooley,

Resolved, That the committee on internal improvement be and they are hereby requested to enquire into the propriety of authorizing the board of commissioners of internal improvement to change the western termination of the Clinton canal, to some point on the Kalamazoo river above its mouth.

On motion of Mr. McClelland,

Resolved, That on and after Wednesday next, the House have two sessions each day, commencing at half past nine in the morning and half past two in the afternoon.

Mr. Cook presented a claim of John Berry, Esq. for services rendered as assistant enrolling clerk at the extra session of the legislature, which was referred to the committee on claims.

The following message was received from the Senate, through their secretary :

Mr. SPEAKER—In pursuance of the rules of the Senate, I here-with return, without amendment, the resolution relative to the erection of a court-house for the United States courts in the district of Michigan, and the resolution relative to the improvement of the St. Joseph river of Lake Michigan.

The House took up for consideration the bill from the Senate, yesterday laid upon the table, entitled "A bill to provide for the relief of the Detroit and Pontiac railroad company."

Mr. Butler moved to amend section one, by inserting in line four after the word "company," the words "and to the Macomb and Saginaw railroad company," and after the word "dollars," in line five the word "each," which was decided, by yeas and nays, in the negative, as follows:

YEAS.

Mr. Butler,
Mr. Hotchkiss,

Mr. Lacey,
Mr. Lane,

Mr. Odell,
Mr. Spafford,

NAYS.

Mr. Adams,	Mr. Goodman,	Mr. Payne,
Mr. Ball,	Mr. Gidley,	Mr. Risdon,
Mr. Burke,	Mr. Gantt,	Mr. H. Smith,
Mr. Bement,	Mr. J. Howard,	Mr. J. R. Smith,
Mr. Beaufait,	Mr. Kellogg,	Mr. Wakefield,
Mr. Champlin,	Mr. Kent,	Mr. Wixom,
Mr. Cooley,	Mr. King,	Mr. Williams,
Mr. Crane,	Mr. Moran,	Mr. Wadhams,
Mr. Decker,	Mr. Montgomery,	Mr. Speaker,
Mr. Draper,	Mr. Pray,	

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Mr. Cook moved to amend section one by striking out in line five the word "reimbursable," and inserting "payable," also in line six striking out the word "seven," and inserting "six," also in line seven striking out the words "at the office of the treasurer of this state," and inserting the words "at the city of New York," which question was decided, by yeas and nays, in the affirmative, as follows:

YEAS.

Mr. Adams,	Mr. Goodman,	Mr. Odell,
Mr. Ball,	Mr. Gidley,	Mr. Pray,
Mr. Burke,	Mr. Gantt,	Mr. Payne,
Mr. Bement,	Mr. J. Howard,	Mr. Poucher,
Mr. Beaufait,	Mr. Hotchkiss,	Mr. Risdon,
Mr. Butler,	Mr. Kellogg,	Mr. H. Smith,
Mr. Champlin,	Mr. Kent,	Mr. Spafford,
Mr. Cook,	Mr. King,	Mr. J. R. Smith,
Mr. Cooley,	Mr. Lacey,	Mr. Wakefield,
Mr. Crane,	Mr. Lane,	Mr. Wixom,
Mr. Decker,	Mr. Moran,	Mr. Wadhams,
Mr. Draper,	Mr. Montgomery,	Mr. Speaker,

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NAYS.

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Mr. Butler moved further to amend section one, by inserting at the end thereof, a proviso in the words following: Provided that the electors of the state of Michigan, at their next township meeting, shall give their assent to the same," which question was decided, by yeas and nays, in the negative, as follows:

YEAS.

Mr. Butler,	Mr. Odell,	
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2

NAYS.

Mr. Adams,	Mr. Gidley,	Mr. Pray,
Mr. Ball,	Mr. Gantt,	Mr. Payne,
Mr. Burke,	Mr. J. Howard,	Mr. Risdon,
Mr. Bement,	Mr. Hotchkiss,	Mr. H. Smith,
Mr. Beaufait,	Mr. Kellogg,	Mr. Spafford,
Mr. Champlin,	Mr. Kent,	Mr. J. R. Smith,
Mr. Cook,	Mr. King,	Mr. Wakefield,
Mr. Cooley,	Mr. Lane,	Mr. Wixom,
Mr. Crane,	Mr. McClelland,	Mr. Williams,
Mr. Decker,	Mr. Moran,	Mr. Wadham,
Mr. Draper,	Mr. Montgomery,	Mr. Speaker,
Mr. Goodman,		

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Mr. Butler moved to amend section two, by striking out "one hundred and fifty," and inserting "two hundred," which was decided, by yeas and nays, in the negative, as follows:

YEAS.

Mr. Butler,	Mr. Moran,	Mr. Vickery,
Mr. Cook,	Mr. Montgomery,	Mr. Wakefield,
Mr. J. Howard,	Mr. Odell,	Mr. Williams,
Mr. Hotchkiss,	Mr. Pray,	Mr. Wadham,
Mr. Lane,	Mr. H. Smith,	Mr. Speaker,
Mr. McClelland,	Mr. J. R. Smith,	

17

NAYS.

Mr. Adams,	Mr. Crane,	Mr. Kellogg,
Mr. Ball,	Mr. Doty,	Mr. Kent,
Mr. Burke,	Mr. Decker,	Mr. King,
Mr. Bement,	Mr. Draper,	Mr. Payne,
Mr. Beaufait,	Mr. Gidley,	Mr. Spafford,
Mr. Champlin,	Mr. Gantt,	Mr. Wixom,

18

On motion of Mr. Crane, section eight was amended by inserting after the word "thereof," in line two, the words "or in completing said road by the first day of May, 1839."

On motion of Mr. McClelland, said section was further amended by striking out the amendment of Mr. Crane, also inserting the following proviso:

"Provided, moreover, that if said road is not completed on or before the 1st day of May, 1839, the charter of said company shall become forfeited, and the said road and appurtenances and all and singular the rights, interests and franchises of said company shall belong to, and be the property of this state, and this provision shall

not in any wise affect the rights of the state in regard to the bond given, pursuant to the second section of this act."

Said bill was then ordered to be engrossed for a third reading.

On motion of Mr. Henry Smith, the militia bill was made the special order of the day for Tuesday next.

Mr. Payne, according to notice given and leave granted, introduced "A bill to amend an act suspending for a limited time certain provisions of law and for other purposes," also "A bill to incorporate the village of Clinton," which was read the first and second times, and referred to the committee on banks and incorporations.

The Chair announced a communication from the librarian, together with a report, which was referred to the committee on the library.

The following message was received from the Executive, through C. C. Jackson, Esq., his private secretary :

To the House of Representatives:

I have this day approved and filed in the office of the Secretary of State, the following act, viz : "An act to authorize the laying out of a state road from Niles to Kalamazoo."

STEVENS T. MASON.

February 16, 1838.

The House then resolved itself into a committee of the whole, Mr. Champlin in the chair, upon bill number forty-six, entitled "A bill to authorize the supervisors of the county of Kent to loan a certain sum of money and for other purposes," and after some time spent thereon, the committee rose and through their chairman, reported progress, and asked and obtained leave to sit again.

The House then resolved itself into a committee of the whole, Mr. Wixom in the chair, upon bill number forty, entitled "A bill to organize the county of Barry," and after some time spent thereon, the committee rose, and through their chairman, reported the same to the House with sundry amendments, which were concurred in, and said bill was then ordered to be engrossed for a third reading.

The engrossed bills entitled "A bill to incorporate the village of Allegan," "A bill to incorporate the village of Romeo," and "A

bill to authorize the building of a dam therein named," were taken up, read the third time and passed.

Mr. Butler gave notice that, at some future day, he should ask leave to bring in a bill to incorporate the city of Belvidere.

On motion, the House adjourned until Monday morning at half-past nine o'clock.

Monday, February 19.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Hoyt.

The roll having been called, and

The proceedings of Friday having been read,

Petitions presented : By Mr. Henry Smith, by Mr. Lancaster, and by Mr. Burke, in relation to the southern railroad ; also by Mr. Burke, in relation to the northern railroad, which were severally referred to the select committee of investigation. By Mr. Draper, to change the name of the town of Lomond to that of Richmond ; referred to the committee on towns and counties. By Mr. Butler, from Ebenezer Hall and others, proprietors of the Michigan glass factory, praying for a loan from the state of \$25,000 ; referred to the committee on internal improvement.

Mr. Gidley, from the committee on the state prison, to which was referred the report of the commissioners appointed to locate the state penitentiary, reported thereon a bill entitled "A bill locating the state prison," which was read the first and second times and laid upon the table to be printed with the report.

Mr. Crane, from the committee on towns and counties, to which was referred a petition for the organization of the county of Eaton, reported that a law had already been passed to organize said county, and therefore asked to be discharged from the further consideration of the subject, which report was accepted and the committee discharged.

Mr. Montgomery, from the committee on university and school lands, to which was referred the petition of James H. Hanchette, to construct a dam on university and school lands, reported a bill which was read the first and second times and referred to the committee on roads and bridges.

The Chair announced a communication from the reviser, transmitting the first and second chapters of title eight of the revised laws, which was laid upon the table and ordered to be printed.

The engrossed bill number thirty-one, entitled "A bill to amend an act entitled 'An act for the regulation of internal improvement and for the appointment of a board of commissioners,'" was taken up, read the third time, and the question upon the final passage was decided, by yeas and nays, in the affirmative, as follows:

YEAS.

Mr. Burke,	Mr. Gidley,	Mr. Odell,
Mr. Beaufait,	Mr. J. M. Howard,	Mr. Pray,
Mr. Butler,	Mr. J. Howard,	Mr. Payne,
Mr. Champlin,	Mr. Hotchkiss,	Mr. H. Smith,
Mr. Cook,	Mr. Kellogg,	Mr. Spafford,
Mr. Cooley,	Mr. King,	Mr. Sheldon,
Mr. Dorsey,	Mr. Lacy,	Mr. Vickery,
Mr. Doty,	Mr. Moran,	Mr. Williams,
Mr. Goodman,	Mr. Montgomery,	Mr. Speaker, 27

NAYS.

Mr. Ball,	Mr. Draper,	Mr. Risdon,
Mr. Bement,	Mr. Kent,	Mr. Wakefield,
Mr. Crane,	Mr. Lancaster,	Mr. Wadham, 9

Mr. J. M. Howard gave notice that at some future day he should ask leave to bring in a bill concerning fugitives from labor.

The House then resolved itself into committee of the whole, Mr. Cook in the chair, upon bill number forty-six, entitled "A bill to authorize the supervisors of the county of Kent to loan a certain sum of money," and bill number thirty-five, entitled "A bill to incorporate the Clinton salt works company, with the amendments made thereto by the committee on agriculture and manufactures, and after some time spent thereon, the committee rose, and through their chairman reported the same to the House with sundry amendments, which were concurred in, and bill number thirty-five was laid upon the table, and bill number forty-six was ordered to be engrossed for a third reading.

On motion of Mr. Ball, the rule was suspended, and bill number forty-six was taken up, read the third time and passed.

The House then resolved itself into a committee of the whole, Mr. Vickery in the chair, upon bill number forty-five, entitled "A bill to organize certain townships and for other purposes," and

after some time spent thereon, the committee rose, and through their chairman reported the same to the House with sundry amendments, which were concurred in.

Mr. Crane moved to insert the following to stand as section thirty-three : " Hereafter the name of the township of Logan, in the county of Lenawee, shall be changed and altered to that of Adrian, which was decided in the affirmative.

On motion of Mr. Cooley, section one was amended by inserting the word " Texas," as stricken out by the House in committee of the whole.

Mr. Henry Smith moved to amend section four by striking out the word " Handy," and inserting the word " Algansee," which was negatived.

On motion of Mr. Spafford, section forty-five was amended by striking out in line four the word " Ridgeway," and inserting the word " Delhi."

The House took up for consideration the bill from the Senate, entitled " A bill to provide for the relief of the Detroit and Pontiac railroad company."

Mr. Gidley moved a reconsideration of the vote taken on Friday, (day of adjournment,) upon the amendment offered by Mr. Butler, viz : to strike out " one hundred and fifty," and insert " two hundred," pending which motion,

Mr. Butler moved to lay the bill upon the table, which was decided in the affirmative.

Mr. McClelland, from the committee on internal improvement, to which was referred the bill from the Senate, entitled " A bill for the relief of the Shelby and Detroit railroad company," reported the same to the House without amendment.

On motion of Mr. Dorsey, the report of the committee on the state penitentiary, together with the bill, was laid on the table.

On motion, the House adjourned.

Tuesday, February 20.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Hoyt.

The roll having been called, there were absent, Messrs. Adams and King.

The proceedings of yesterday having been read,

The following petitions were presented: By Mr. Butler, from the inhabitants of the township of Hickory in the county of Macomb, praying that sections twelve, thirteen, twenty-four, twenty-five and thirty-six, in town one north, of range twelve east, may be annexed to said town of Hickory. By Mr. Bement, for the organization of a town. By Mr. Dorsey, for the organization of town two north, of ranges five and six west, in Eaton county, with township privileges, which were severally referred to the committee on towns and counties. By Mr. Bement, a petition of Conrad Ten Eyck, for damages sustained from the construction of the central railroad; referred to the committee on the judiciary. By Mr. Bement, from sundry inhabitants of the counties of Washtenaw, Livingston and Ingham, for a change in a certain state road, also for the construction of a certain state road; referred to the committee on roads and bridges.

Mr. Cook presented a claim from Robert Andrews, Esq., and Patrick Downey, Esq., for services rendered at the extra session of the last legislature. Referred to the committee on claims.

Mr. McClelland, from the committee on internal improvement, reported the following resolution, which was adopted:

Resolved, That the board of internal improvement be requested to report to this House with all convenient speed, their opinion in regard to the propriety of terminating the Clinton and Kalamazoo canal at Allegan or some other point within the county of Allegan.

Mr. McClelland, from the same committee, to which was referred the petition from Ebenezer Hall and others, relative to a loan of twenty-five thousand dollars from the state, reported that said petition was not within their proper sphere, and therefore moved its reference to the committee on agriculture and manufactures, which was so referred.

Mr. McClelland, from the same committee, reported a bill entitled "A bill to provide for the continuation of the improvements of the state of Michigan," which was read the first and second times and laid upon the table.

Mr. Cooley, according to notice given and leave granted, introduced a bill entitled "A bill to incorporate the village of Kalamazoo," which was read the first and second times and laid upon the table.

Mr. Gantt offered the following resolution :

Resolved, That the Executive of this state be and he is hereby requested to send to the House of Representatives of the state of Michigan, all official letters or communications received by him from any subject or subjects of the Queen of Great Britain, wherein in any mention is made of the late troubles in Canada, and his answer to the same.

Mr. McClelland moved to lay it upon the table, which was decided, by yeas and nays, in the affirmative, as follows :

YEAS.

Mr. Ball,	Mr. Kellogg,	Mr. Poucher,
Mr. Burke,	Mr. Kent,	Mr. Risdon,
Mr. Bement,	Mr. Lacey,	Mr. H. Smith,
Mr. Beaufait,	Mr. Lancaster,	Mr. Spafford,
Mr. Crane,	Mr. McClelland,	Mr. Wakefield,
Mr. Dorsey,	Mr. Moran,	Mr. Wixom,
Mr. Doty,	Mr. Montgomery,	Mr. Wadham,
Mr. Gidley,	Mr. Pray,	Mr. Speaker,
Mr. Hotchkiss,		

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NAYS.

Mr. Buel,	Mr. Goodman,	Mr. Payne,
Mr. Butler,	Mr. Gantt,	Mr. Sheldon,
Mr. Champlin,	Mr. J. M. Howard,	Mr. J. R. Smith,
Mr. Cook,	Mr. J. Howard,	Mr. Thompson,
Mr. Decker,	Mr. Lane,	Mr. Vickery,
Mr. Draper,	Mr. Odell,	Mr. Williams,

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Mr. McClelland offered the following joint resolution, which was read the first and second times, and according to rule laid upon the table for one day.

Resolved, That the legislature, (the Senate concurring herein,) will adjourn without delay, on the fifteenth March next.

The House then resolved itself into committee of the whole, Mr. Gantt in the chair, upon bill number thirty-seven, entitled "A bill of the militia and public defence," and after some time spent thereon, the committee rose, and through their chairman reported progress.

Mr. J. M. Howard, according to notice given and leave granted, introduced a bill entitled "A bill concerning fugitives from service," which was read the first and second times and referred to the committee on the judiciary.

[Feb. 20.]

The Chair announced a communication from the Senate, in the words following :

Mr. SPEAKER—In pursuance of the rules of the Senate, I herewith transmit a resolution which has passed the Senate, relative to certain newspapers ordered for the use of the legislature ; I also herewith return with sundry amendments made thereto by the Senate, the bill entitled "A bill to provide for the disposition of prisoners apprehended within the counties of Ionia and Ottawa," in which resolution and amendments the concurrence of the House of Representatives is respectfully requested.

The above bill and resolutions were laid upon the table.

The Chair announced a message from the Executive through C. C. Jackson, Esq., his private secretary :

To the House of Representatives :

I have this day approved, and filed in the office of the Secretary of State, the following joint resolutions, viz : "Joint resolutions relative to the Bank of Gibraltar."

STEVENS T. MASON.

February 19, 1838.

The Chair announced the following communication from the Executive, which, on motion of Mr. J. M. Howard, was laid upon the table, and five hundred copies ordered to be printed.

To the House of Representatives :

In answer to a resolution of the House of Representatives, requesting the Governor of this state, "to communicate to the House, whether any of the state loan of five millions of dollars has been disposed of, and if so, how much and at what rates, when, to whom, and where payable, and also such correspondence between him and capitalists with regard to the same as is consistent with the public interest," I would respectfully state, that bonds to the amount of five hundred thousand dollars, have been sold to Oliver Newberry, Esq. at a premium of six per cent, the interest payable at the Phœnix Bank, New York, semi-annually, and the principal redeemable at the same institution, in twenty-five years from the first day of January, eighteen hundred and thirty-eight. One million of bonds in addition, have been placed in the hands of John Delafield, Esq. cashier of the Phœnix Bank, as

agent of the state for their negotiation, to be sold on the most advantageous terms of the American and European markets. These bonds have been introduced into the European market, and I am in daily expectation of receiving advices as to the result of Mr. King's negotiation, who has charge of that portion of the loan in the European market. So soon as these advices are received, they will be submitted to the legislature. I have not deemed it desirable to negotiate more than a million and a half of dollars of the loan for the year eighteen hundred and thirty-eight, as it is believed that no more than that sum will be required for the purposes of internal improvement for the present year. This sum, however, may be certainly calculated upon, and the legislature can safely appropriate to that amount. If the legislation of the present session, should require it, I am confident the whole loan or any additional portion of it, may readily be negotiated.

Having had personal intercourse with the gentlemen connected with the negotiation of the loan, there is consequently no correspondence of such a character as that contemplated by the resolution of the House.

Although not embraced in your resolution of inquiry, I deem proper to state, to prevent misapprehension, that the drafts on Mr. Delafield alleged to have been protested, were not drawn as part of the loan. Mr. Delafield is the purchaser of no portion of the state bonds; but is simply the agent of the state in New York, connected with the negotiation, the payment of the interest on the loan, and the redemption of the principal, as it is made payable at the bank of which he is an officer. The drafts drawn on him were for a voluntary advance on his part, and drawn to relieve the exchanges between Detroit and New York. I am not fully apprized of the reasons of their non-payment.

STEVENS T. MASON.

Feb. 19, 1838.

Mr. J. M. Howard, from the committee on enrolment, reported as correctly enrolled, "An act appointing commissioners to lay out and establish certain state roads."

On motion, the House adjourned.

Wednesday, February 21.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Hoyt.

The roll having been called, there were absent, Messrs. King and Levake.

The proceedings of yesterday having been read,

The following petitions were presented : By Mr. Cook, to authorize Henry Raymond to keep a ferry from Grosse Isle to Truago; referred to the committee on roads and bridges. By Mr. Dorsey, to amend an act incorporating the village of Marshall. By Mr. Gantt, to authorize the trustees of Pontiac to regulate markets within the corporate limits of said village ; referred to the committee on banks and incorporations.

Leave of absence was granted to Mr. Cooley, for two weeks.

Mr. Moran, from the committee on ways and means, to which was referred a communication from the Auditor General, and the petition of L. Goodell, sheriff of Wayne county, reported thereon, which was read and laid on the table and ordered to be printed.

[See Document No. 42.]

Also reported a bill entitled "A bill to authorize the State Treasurer to receive certain bank bills in payment of taxes," which was read the first and second times and laid upon the table.

Mr. Bement, from the committee on banks and incorporations, to which was referred the "Bill to amend an act suspending for a limited time certain provisions of law, and for other purposes," reported the same to the House without amendment; said bill was then laid upon the table to be printed.

Mr. Bement, from the same committee, to which was referred "A bill to incorporate the village of Clinton," reported the same to the House with sundry amendments, which was laid upon the table.

Mr. Bement, from the same committee, reported a bill entitled "A bill to authorize the building of a certain dam therein named," which was read the first and second times, and laid upon the table.

Mr. Risdon, from the committee on roads and bridges, to which was referred a bill from the Senate, entitled "A bill to amend an

act entitled "An act to lay out and establish a state road from Ypsilanti in Washtenaw county, to Ridgeway in Lenawee county," approved March 14, 1837 ;" reported the same to the House with an amendment, which was laid upon the table ; also to which was referred a bill entitled "A bill authorizing James H. Hanchette to build a dam across Coldwater river," reported the same to the House with an amendment, which was laid upon the table.

Mr. Bement, from the committee on banks and incorporations, reported "A bill to incorporate the village of Grand Rapids," which was read the first and second times, and laid upon the table.

The Chair announced a message from the Senate, in the words following :

Mr. SPEAKER : In pursuance of the rules of the Senate, I herewith transmit resolutions relative to the removal of obstructions on the flats at the mouth of the river St. Clair, which have passed the Senate, and in which the concurrence of the House of Representatives is respectfully requested. I also herewith return, without amendment, the bill from the House of Representatives, entitled "A bill to authorize the board of supervisors of Livingston county, to borrow a certain sum of money."

The above resolution was read the first and second times, and according to rule, laid upon the table for one day.

On motion of Mr. J. M. Howard, the rule was suspended, and said resolution was read the third time and passed.

Mr. Crane gave notice, that at some future day he should ask leave to introduce a bill authorizing the building of a dam across the Shiawassee river, on section number thirty, in township number six north, of range four east.

The House then resolved itself into a committee of the whole, Mr. Ball in the chair, upon bill number forty-two, entitled "A bill releasing to the United States fourteen sections on the Niles, and sections twenty-five and thirty-six on the Nottawassepe reserve, upon certain conditions, and after some time spent thereon, the committee rose, and through their chairman, reported the same to the House without amendment.

Mr. Ball moved to lay the bill upon the table, which was negatived, by yeas and nays, as follows :

YEAS.

Mr. Ball,
Mr. Buel,
Mr. Crane,

Mr. Moran,
Mr. Montgomery,
Mr. Wixom,

Mr. Williams,
Mr. Speaker,

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NAYS.

Mr. Burke,
Mr. Bement,
Mr. Beaufait,
Mr. Butler,
Mr. Champlin,
Mr. Cook,
Mr. Dorsey,
Mr. Doty,
Mr. Decker,
Mr. Draper,
Mr. Goodman,

Mr. Gidley,
Mr. J. M. Howard,
Mr. Hotchkiss,
Mr. Kellogg,
Mr. Kent,
Mr. Lacey,
Mr. Lane,
Mr. Lancaster,
Mr. McClelland,
Mr. Odell,

Mr. Payne,
Mr. Poucher,
Mr. Risdon,
Mr. Spafford,
Mr. Sheldon,
Mr. J. R. Smith,
Mr. Thompson,
Mr. Vickery,
Mr. Wakefield,
Mr. Wadham,

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The question being upon the engrossment of the bill for a third reading,

Mr. Ball moved to amend by adding the following, to stand as section two :

"Sec. 2. That all claims that the state now has to sections twenty-three, twenty-four, twenty-five, twenty-six, and thirty-five, township seven north, of range thirteen west, and section twenty, township eight north, of range sixteen west, also section two, township six north, of range nine west, be and the same are hereby released."

Mr. Gant moved to amend the amendment by adding the following proviso, viz: Provided the same are now occupied by actual settlers, as contemplated by existing acts of congress, which was negatived.

The question recurring upon the amendment, it was decided in the negative.

Mr. Vickery moved to amend section one, by inserting after the word "congress," in line two, the words "at its present session," which was negatived.

Said bill was then ordered to be engrossed for a third reading.

The House then resolved itself into a committee of the whole, Mr. Ball in the chair, upon bill number forty-seven, entitled "A

bill to incorporate the Michigan institute," and after some time spent thereon, the committee rose, and through their chairman reported progress, and asked and obtained leave to sit again.

The House then took up for consideration a bill from the Senate, entitled "A bill to provide for the relief of the Detroit and Pontiac railroad company," and the question being upon the motion of Mr. Gidley, viz : to reconsider the vote taken upon the amendment offered by Mr. Butler, to strike out in section two, "one hundred and fifty thousand dollars," and insert "two hundred thousand dollars," it was decided, by yeas and nays, in the affirmative, as follows :

YEAS.

Mr. Burke,	Mr. Hotchkiss,	Mr. Sheldon,
Mr. Beaufait,	Mr. Lacey,	Mr. J. R. Smith,
Mr. Butler,	Mr. Lane,	Mr. Thompson,
Mr. Cook,	Mr. McClelland,	Mr. Vickery,
Mr. Goodman,	Mr. Odell,	Mr. Williams,
Mr. Gidley,	Mr. H. Smith,	Mr. Wadham,
Mr. J. M. Howard,	Mr. Spafford,	Mr. Speaker,
Mr. J. Howard,		

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NAYS.

Mr. Ball,	Mr. Kellogg,	Mr. Payne,
Mr. Crane,	Mr. Kent,	Mr. Poucher,
Mr. Doty,	Mr. Lancaster,	Mr. Risdon,
Mr. Decker,	Mr. Moran,	Mr. Wakefield,
Mr. Draper,	Mr. Montgomery,	Mr. Wixom,
Mr. Gantt,	Mr. Pray,	

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The question recurring upon the amendment of Mr. Butler, as above stated, it was decided, by yeas and nays, in the affirmative, as follows :

YEAS.

Mr. Burke,	Mr. Kent,	Mr. Sheldon,
Mr. Beaufait,	Mr. Lacey,	Mr. J. R. Smith,
Mr. Butler,	Mr. Lane,	Mr. Thompson,
Mr. Cook,	Mr. Levake,	Mr. Vickery,
Mr. Goodman,	Mr. McClelland,	Mr. Williams,
Mr. Gidley,	Mr. Odell,	Mr. Wadham,
Mr. J. Howard,	Mr. H. Smith,	Mr. Speaker,
Mr. Hotchkiss,	Mr. Spafford,	

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NAYS.

Mr. Ball,	Mr. J. M. Howard,	Mr. Payne,
Mr. Champlin,	Mr. Kellogg,	Mr. Poucher,
Mr. Crane,	Mr. Lancaster,	Mr. Risdon,
Mr. Decker,	Mr. Moran,	Mr. Wakefield,
Mr. Draper,	Mr. Montgomery,	Mr. Wixom,
Mr. Gantt,	Mr. Pray,	

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Mr. Butler moved further to amend said bill by striking out in section one "one hundred thousand dollars," and insert "fifty thousand dollars," pending which question, the House adjourned until half-past two, P. M.

AFTERNOON SESSION.

The House met pursuant to adjournment.

The roll being called, the following petitions were presented;

By Mr. McClelland, from inhabitants of the township of Erie in Monroe county, relative to taxes on lands for the purpose of supporting common schools; referred to the committee on university and school lands. Also from sundry inhabitants of the township of Erie, relative to the Havre branch railroad; also from sundry inhabitants of the county of Monroe in relation to the same subject, which were, on his motion, laid upon the table. By Mr. Lancaster, in relation to the southern railroad; referred to the select committee of investigation.

Mr. Dorsey, from the minority of the committee on the state prison, made a report which was laid on the table and ordered to be printed, together with the report of the majority, heretofore laid upon the table.

[See Document No. 48.]

Mr. Lancaster, from the committee on enrolment, reported as correctly enrolled, a joint resolution relative to the navigation of the St. Joseph river; also an act authorizing the board of supervisors of Livingston county to borrow a certain sum of money.

The House then resumed the consideration of the Senate bill for the relief of the Detroit and Pontiac railroad company, and the question being upon the amendment of Mr. Butler, viz: to strike out in section one, "one hundred thousand dollars," and inserting "fifty thousand dollars."

Mr. Crane called for a division of the question, and the question

then being upon striking out "one hundred thousand dollars," it was decided, by yeas and nays, in the negative, as follows:

YEAS.

Mr. Beaufait,	Mr. J. M. Howard,	Mr. Lane,
Mr. Butler,	Mr. J. Howard,	Mr. Odell,
Mr. Cook,	Mr. Lacey,	Mr. Sheldon,
Mr. Goodman,		

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NAYS.

Mr. Adams,	Mr. Kellogg,	Mr. Risdot,
Mr. Ball,	Mr. Kent,	Mr. H. Smith,
Mr. Burke,	Mr. Lancaster,	Mr. Spafford,
Mr. Bement,	Mr. McClelland,	Mr. J. R. Smith,
Mr. Champlin,	Mr. Moran,	Mr. Thompson,
Mr. Crane,	Mr. Montgomery,	Mr. Wakefield,
Mr. Decker,	Mr. Pray,	Mr. Wixom,
Mr. Draper,	Mr. Payne,	Mr. Wadham,
Mr. Gant,	Mr. Poucher,	Mr. Speaker,
Mr. Hotchkiss,		

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Mr. Butler moved to strike out all after the enacting clause, which was decided, by yeas and nays, in the negative, as follows:

YEAS.

Mr. Burke,	Mr. Lacy,	Mr. Sheldon,
Mr. Butler,	Mr. Odell,	

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NAYS.

Mr. Adams,	Mr. J. Howard,	Mr. Payne,
Mr. Ball,	Mr. Hotchkiss,	Mr. Poucher,
Mr. Bement,	Mr. Kellogg,	Mr. Risdot,
Mr. Beaufait,	Mr. Kent,	Mr. Spafford,
Mr. Champlin,	Mr. Lane,	Mr. J. R. Smith,
Mr. Cook,	Mr. Lancaster,	Mr. Thompson,
Mr. Crane,	Mr. McClelland,	Mr. Wakefield,
Mr. Decker,	Mr. Moran,	Mr. Wixom,
Mr. Goodman,	Mr. Montgomery,	Mr. Wadham,
Mr. Gant,	Mr. Pray,	Mr. Speaker,
Mr. J. M. Howard,		

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Mr. McClelland moved to lay the bill upon the table, which was negatived.

Mr. J. M. Howard moved a reconsideration of the vote, which was decided in the affirmative.

The question recurring upon laying said bill upon the table, it was decided it the negative.

The question being upon the final passage of the bill, it was decided, by yeas and nays, in the affirmative, as follows;

YEAS.

Mr. Adams,	Mr. J. M. Howard,	Mr. Risdon,
Mr. Ball,	Mr. Hotchkiss,	Mr. H. Smith,
Mr. Beaufait,	Mr. Kellogg,	Mr. J. R. Smith,
Mr. Champlin,	Mr. Kent,	Mr. Thompson,
Mr. Cook,	Mr. Lancaster,	Mr. Wakefield,
Mr. Crane,	Mr. Moran,	Mr. Wixon,
Mr. Decker,	Mr. Montgomery,	Mr. Wadhams,
Mr. Draper,	Mr. Payne,	Mr. Speaker,
Mr. Gantt,	Mr. Poucher,	26

NAYS.

Mr. Burke,	Mr. Lacey,	Mr. Odell,
Mr. Butler,	Mr. Lane,	Mr. Sheldon,
Mr. J. Howard,	Mr. McClelland,	8

The Chair announced a message from the Senate, in the words following :

Mr. SPEAKER—In pursuance of the rules of the Senate, I here-with return, without amendment, the joint resolution relative to books to be used in primary schools, and the bill entitled "A bill to authorize the supervisors of the county of Kent to loan a cer-tain sum of money."

The Chair announced a communication from E. S. Cobb, Esq. cashier, bank of Washtenaw, containing a statement of its affairs; also a communication from R. F. Stage, Esq., cashier Genesee county bank, containing a statement of its affairs, which were laid upon the table, and ordered to be printed.

[See Document No. 36.]

The House then resolved itself into a committee of the whole upon bill number forty-four, entitled "A bill authorizing the commissioners of common schools of the township of Erie, in Monroe county, to collect certain rents therein mentioned," and after some time spent therein, the committee rose, and through their chairman reported the same to the House without amendment, and said bill was ordered to be engrossed for a third reading.

On motion of Mr. McClelland, the rule was suspended, and the engrossed bill entitled as above, was read the third time and passed.

The House then took up for a third reading bill number forty-five, entitled "A bill to organize certain townships, and for other purposes."

On motion of Mr. Thompson, said bill was amended by striking out section forty-five. On motion of Mr. Crane, the following was substituted in lieu thereof.

"Section 45. All that portion of the county of Ionia, designated in the United States survey as townships five and six north, of range five west, and also the east half of township five and six north, of range six west, be and the same is hereby set off and organized into a separate township, by the name of Portland, and the first township meeting therein, shall be held at the house of Mr. Moore, in said township.

On motion of Mr. McClelland, the blank in section eight was filled with the word "Antrim." On motion of Mr. Wakefield, section forty-seven was amended by striking out the word "Eaden" and inserting "Fenton."

Said bill was then read a third time and passed.

The engrossed bill entitled "A bill to incorporate the village of Utica," was read the third time and passed.

On motion the House adjourned.

Thursday, February 22.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Hoyt.

The roll having been called, and

The proceedings of yesterday having been read,

The following petitions were presented: By Mr. Dorsey, for the organization of a township; referred to the committee on towns and counties. By Mr. Thompson, for a railroad from Whitman's store, through Canandaigua and Medina to the southern state road; referred to the committee on internal improvement. By Mr. Lancaster, in relation to the southern railroad; referred to the select committee.

Mr. Lancaster, from the committee on enrolment reported as correctly enrolled "An act to authorize the supervisors of the county of Kent, to loan a certain sum of money."

The House then resolved itself into a committee of the whole, Mr. Wixom in the chair, upon a bill from the Senate, entitled "A bill to incorporate the Blissfield and Morenci Macadamized turnpike road company," and after some time spent thereon, the committee rose, and through their chairman reported the same to the House without amendment; said bill was then ordered to be engrossed for a third reading.

The House then resolved itself into a committee of the whole, Mr. Hotchkiss in the chair, upon bills number thirty-nine and forty-seven, entitled "A bill to incorporate the Michigan institute," and after some time spent thereon, the committee rose, and through their chairman, reported the same to the House with sundry amendments, which were concurred in; and bill number thirty-nine, was referred to the committee on the judiciary; and bill number forty-seven was ordered to be engrossed for a third reading.

On motion of Mr. McClelland, the following preamble and resolution was adopted:

Whereas, a resolution was adopted by the House on the 25th day of January last, directing the clerk to have published, chapter one hundred and seventeen of the revised statutes, for the use of the members, and it appears that the clerk did immediately thereafter notify the state printer of the adoption of said resolution, and whereas said chapter has not been published pursuant to said resolution, although abundance of time has elapsed for publishing the same; therefore,

Resolved, That the committee on printing be instructed to inquire into the cause of delay in printing said chapter, and report with all convenient speed to this House; and that they be instructed to inquire why bills are not printed and furnished this House in the proper order.

Mr. J. M. Howard offered the following resolution, and moved its adoption:

Resolved, That the state printer lay before this House without unnecessary delay, printed copies of the communication of the Executive of the 8th of February, 1838, and of the accompanying documents.

Pending which question, the House adjourned until to-morrow morning at half-past nine.

Friday, February 23.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Hoyt.

The roll having been called,

The proceedings of yesterday were read.

Petitions presented : By Mr. Buel, of the Detroit city guards, praying for certain privileges ; referred to the committee on the militia. By Mr. Adams, in relation to the draining of Sand Lake ; referred to the committee on roads and bridges. By Mr. Adams, asking an appropriation for the Clinton and Kalamazoo canal ; referred to the committee on internal improvement. By Mr. Thompson, to legalize certain acts of the officers of school district number one, in the town of Lenawee ; referred to the committee on education.

Mr. Buel, from the committee on the judiciary, which was instructed to inquire into the expediency of making judgments liens on real estate, reported a bill entitled "A bill making judgments liens on real estate," which was read the first and second times, and laid upon the table ; also to which was referred "A bill concerning fugitives from service," reported the same to the House without amendment, which was laid upon the table.

Mr. Gant, from the committee on printing, who were by resolution instructed to inquire into the cause why chapter one hundred and seventeen had not been printed, reported that a copy had not yet been furnished the state printer, and the reason why bills were not sent in their regular order, was in consequence of the length of many of them, thus, while compositors were at work with all due diligence, many shorter bills and of a later date were, frequently printed and furnished the House before their regular order.

Mr. Crane, from the committee on towns and counties, reported a bill entitled "A bill to amend an act entitled 'An act to organize the counties of Ionia and Van Buren,' approved March 18, 1837," which was read the first and second times and laid upon the table.

Mr. J. M. Howard, from the committee on enrolment, reported as correctly enrolled a joint resolution relative to public instruction.

The House then resolved itself into a committee of the whole, Mr. Montgomery in the chair, upon bills number twelve, fifty-three and fifty-five, entitled "A bill to incorporate the Michigan college," and "A bill to incorporate the Monroe city guards," and "A bill to provide for the continuation of the improvements of the state of Michigan," and after some time spent thereon, the committee rose, and through their chairman, reported progress, and asked and obtained leave to sit again.

The engrossed bill entitled "A bill releasing to the United States fourteen sections of the Niles, and sections twenty-five and thirty-six on the Nottawassepe reserves upon certain conditions," was taken up, read the third time, and the question being upon its final passage, was decided, by yeas and nays, in the affirmative, as follows :

YEAS.

Mr. Adams,	Mr. Gidley,	Mr. Payne,
Mr. Burke,	Mr. Gantt,	Mr. Poucher,
Mr. Bement,	Mr. J. M. Howard,	Mr. Risdon,
Mr. Buel,	Mr. Hotchkiss,	Mr. H. Smith,
Mr. Beaufait,	Mr. Kellogg,	Mr. Spafford,
Mr. Butler,	Mr. Kent,	Mr. Sheldon,
Mr. Buckbee,	Mr. Lacey,	Mr. J. R. Smith,
Mr. Champlin,	Mr. Lane,	Mr. Thompson,
Mr. Cook,	Mr. Lancaster,	Mr. Vickery,
Mr. Crane,	Mr. Levake,	Mr. Wakefield,
Mr. Dorsey,	Mr. McClelland,	Mr. Wixom,
Mr. Doty,	Mr. Montgomery,	Mr. Wadham,
Mr. Decker,	Mr. Odell,	Mr. Speaker,
Mr. Draper,	Mr. Pray,	41

NAYS.

Mr. Ball,	Mr. Moran,	Mr. Williams,	3
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The engrossed bill entitled "A bill to amend an act entitled 'An act to regulate and define the powers of justices of the peace and constables in civil cases,'" was taken up for a third reading, and the question being upon its final passage,

Mr. Cook moved that the House adjourn, which was decided in the affirmative.

AFTERNOON SESSION.

The House met pursuant to adjournment.

The roll being called,

The unfinished business of the morning, viz : the question on the final passage of bill number twenty-six, entitled "A Bill to amend an act entitled 'An act to regulate and define the powers of justices of the peace and constables in civil cases,'" was taken up.

Mr. Payne moved to amend by striking out sections one, two and three.

Mr. J. M. Howard moved to amend the amendment by striking out the fourth section, which was decided, by yeas and nays, in the negative, as follows :

YEAS.

Mr. Champlin,
Mr. Cook,
Mr. Gidley,

Mr. J. M. Howard,
Mr. J. Howard,

Mr. Kellogg,
Mr. Payne,

7

NAYS.

Mr. Adams,
Mr. Ball,
Mr. Burke,
Mr. Beaufait,
Mr. Butler,
Mr. Buckbee,
Mr. Crane,
Mr. Decker,
Mr. Draper,
Mr. Goodinan,
Mr. Gantt,

Mr. Hotchkiss,
Mr. Kent,
Mr. Lacey,
Mr. Lane,
Mr. Lancaster,
Mr. McClelland,
Mr. Moran,
Mr. Montgomery,
Mr. Odell,
Mr. Pray,

Mr. Poucher,
Mr. Risdon,
Mr. H. Smith,
Mr. Sheldon,
Mr. J. R. Smith,
Mr. Thompson,
Mr. Wakefield,
Mr. Wixom,
Mr. Wadham,
Mr. Speaker,

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The question recurring upon the amendment, it was decided by yeas and nays, in the negative, as follows :

YEAS.

Mr. Champlin,
Mr. Cook,
Mr. Gidley,

Mr. J. M. Howard,
Mr. J. Howard,

Mr. Kellogg,
Mr. Payne,

7

NAYS.

Mr. Adams,
Mr. Ball,
Mr. Burke,
Mr. Beaufait,
Mr. Butler,

Mr. Hotchkiss,
Mr. Kent,
Mr. Lacey,
Mr. Lane,
Mr. Lancaster,

Mr. Risdon,
Mr. H. Smith,
Mr. Spafford,
Mr. Sheldon,
Mr. J. R. Smith,

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Mr. Buckbee,	Mr. McClelland,	Mr. Thompson,
Mr. Crane,	Mr. Moran,	Mr. Wakefield,
Mr. Decker,	Mr. Montgomery,	Mr. Wixom,
Mr. Draper,	Mr. Odell,	Mr. Wadham,
Mr. Goodman,	Mr. Pray,	Mr. Speaker,
Mr. Gant,	Mr. Poucher,	

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Mr. Buckbee moved to amend section three, by adding the following proviso, viz : " Provided in all cases when the plaintiff's demand against the defendant at the time of the commencement of a suit shall consist of promissory notes or bills of exchange constituting distinct causes of action, and the amount in all shall not exceed twenty-five dollars, it shall not be lawful for the plaintiff to recover but one bill of cost in the collection of the same," which was decided in the affirmative.

Mr. Payne moved to amend said bill by adding the following to stand as section six : " This act shall be so construed that no suit shall be commenced on any bank notes, until said notes have been duly presented at the counter of the bank, purporting to have been issued by them, and endorsed by the cashier, according to the provisions of the twenty-first section of an act entitled " An act to amend ' An act to organize and regulate banking associations.' "

Mr. Gant moved to amend the amendment by adding the words " No suit shall be commenced against any incorporation until the note, bill or account contemplated in this bill shall have been presented to said corporation for payment."

Mr. Kellogg moved to lay the bill on the table, which was decided by yeas and nays, in the negative, as follows :

YEAS.

Mr. Champlin,	Mr. J. Howard,	Mr. Payne,
Mr. Cook,	Mr. Kellogg,	Mr. H. Smith,
Mr. Crane,	Mr. Lane,	Mr. Spafford,
Mr. Goodman,	Mr. Lancaster,	Mr. Sheldon,
Mr. Gidley,	Mr. Morgan,	Mr. Speaker,
Mr. J. M. Howard,		

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NAYS.

Mr. Adams,	Mr. Gant,	Mr. Poucher,
Mr. Ball,	Mr. Hotchkiss,	Mr. Risdon,
Mr. Burke,	Mr. Kent,	Mr. J. R. Smith,

Mr. Beaufait,	Mr. Lacey,	Mr. Thompson,
Mr. Butler,	Mr. McClelland,	Mr. Wakefield,
M. Buckbee,	Mr. Montgomery,	Mr. Wixom,
Mr. Decker,	Mr. Odell,	Mr. Wadham,
Mr. Draper,	Mr. Pray,	

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The question recurring upon the amendment to the amendment, it was negatived.

The question recurring upon the amendment, Mr. J. M. Howard moved to amend by striking out all after the word "them," which was decided in the affirmative.

Mr. Risdon moved further to amend the amendment by striking out all after the word "bank," which was decided in the affirmative.

The question then being upon the amendment, it was decided by yeas and nays, in the affirmative, as follows:

NAYS.

Mr. Adams,	Mr. Gantt,	Mr. Montgomery,
Mr. Burke,	Mr. J. M. Howard,	Mr. Pray,
Mr. Butler,	Mr. J. Howard,	Mr. Payne,
Mr. Champlin,	Mr. Hotchkiss,	Mr. Risdon,
Mr. Cook,	Mr. Kent,	Mr. H. Smith,
Mr. Crane,	Mr. Lacey,	Mr. Spafford,
Mr. Dorsey,	Mr. Lane,	Mr. Sheldon,
Mr. Decker,	Mr. Lancaster,	Mr. Thompson,
Mr. Goodman,	Mr. McClelland,	Mr. Wakefield,
Mr. Gidley,	Mr. Moran,	

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YEAS.

Mr. Ball,	Mr. Odell,	Mr. Wixom,
Mr. Beaufait,	Mr. Poucher,	Mr. Wadham,
Mr. Buckbee,	Mr. J. R. Smith,	Mr. Speaker,
Mr. Draper,		

10

Mr. Cook moved to amend section one, by inserting after the word "against" the word "banking," which was negatived.

Mr. Payne moved further to amend the bill, by adding the following to stand as section seven :

" This act shall take effect from and after the sixteenth day of July next."

Mr. Gantt moved to amend, by striking out "July" and inserting "May;" the mover accepted the amendment.

Mr. Risdon then moved to insert the word "August" in lieu of "May," which was negatived, and the question on the amendment was decided in the affirmative.

The question then recurring again upon the final passage of the bill, it was decided by yeas and nays, in the affirmative, as follows :

YEAS.

Mr. Adams,	Mr. Goodman,	Mr. Poucher,
Mr. Ball,	Mr. Gantt,	Mr. Risdon,
Mr. Burke,	Mr. Hotchkiss,	Mr. H. Smith,
Mr. Beaufait,	Mr. Kent,	Mr. J. R. Smith,
Mr. Butler,	Mr. Lacey,	Mr. Thompson,
Mr. Buckbee,	Mr. Lancaster,	Mr. Wakefield,
Mr. Champlin,	Mr. McClelland,	Mr. Wixon,
Mr. Crane,	Mr. Montgomery,	Mr. Wadhams,
Mr. Decker,	Mr. Odell,	Mr. Speaker,
Mr. Draper,	Mr. Pray,	

29

NAYS.

Mr. Cook,	Mr. J. Howard,	Mr. Payne,
Mr. Gidley,	Mr. Lane,	Mr. Spafford,
Mr. J. M. Howard,	Mr. Moran,	Mr. Sheldon,

9

Mr. Henry Smith, from the committee on militia, reported a bill entitled "A bill to incorporate the Detroit city guards," which was read a first and second times and laid upon the table.

Mr. Spafford gave notice that he should, at some future day, ask leave to bring in a bill to incorporate the Tecumseh academy in the county of Lenawee, with certain privileges, &c.

The Chair announced a message from the Executive, through C. C. Jackson, Esq. his private secretary :

To the House of Representatives :

I have this day approved and filed in the office of the Secretary of State, the following act, viz: "An act authorizing the board of supervisors of Livingston county, to borrow a certain sum of money."

STEVENS T. MASON.

February 23, 1838.

On motion, the House adjourned.

Saturday, February 24.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Hoyt.

The roll having been called, there were absent, Messrs. J. Howard, King, Levake, and Williams.

The proceedings of yesterday having been read,

The following petitions were presented: By Mr. Odell, from inhabitants of Ottawa, for a division of said township. By Mr. Crane, against setting off certain sections of the township of Hickory; referred to the committee on towns and counties. By Mr. Thompson, against the draining of Sand Lake. By Mr. Buckbee, relative to the improvement of a branch of the River Raisin; referred to the committee on roads and bridges.

Mr. Buel, according to notice given and leave granted, introduced a bill entitled "A bill to incorporate the Detroit house carpenter and joiner's mutual benefit society," which was read the first and second times and referred to the committee on the judiciary.

Mr. Buel, from the majority of the joint committee appointed to investigate the location of the northern and southern railroad routes, reported thereon the result of their investigation as far as Branch, together with a bill entitled "A bill to establish in part the location of the southern railroad;" the report having been read, and the bill read the first and second times, were, on motion of Mr. McClelland, laid upon the table until Monday next.

Mr. Crane gave notice that at some future day he should ask leave to introduce a bill amending that part of the revised code defining the time for holding courts in the second judicial circuit.

Mr. Bement, from the committee on banks and incorporations, to which was referred "A bill to incorporate the subscribers to the People's bank of the state of Michigan," reported the same to the House with sundry amendments, and the bill was laid upon the table and ordered to be printed as amended.

Mr. Crane, from the committee on towns and counties, to which was referred a petition from the inhabitants of the county of Barry, reported that the prayer of said petitioners had in part been answered and a bill already passed by the House, they therefore asked to be discharged from the further consideration of the subject, which report was accepted.

The House then resumed, in committee of the whole, Mr. Kellogg in the chair, the consideration of bill number twenty-two, for the apportionment of the members of the House of Representatives and the arrangement of the Senate districts, and after some time spent thereon, the committee rose and through their chairman, reported the same to the House with sundry amendments which were concurred in, and said bill was, on motion of Mr. Buckbee, referred to a select committee of five, whereupon the Chair announced Messrs. Buckbee, Butler, McClelland, Goodman, and Lancaster as said committee.

The House then resolved itself into committee of the whole, Mr. Wakefield in the chair, upon "A bill for the incorporation of the Monroe city guards," and "A bill for the incorporation of the Detroit city guards," and after some time spent thereon, the committee rose, and through their chairman, reported the same to the House with sundry amendments which were concurred in, and said bills were laid upon the table.

Mr. Payne gave notice that at some future day he should ask leave to introduce a bill for the relief of the Palmyra and Jacksonburgh railroad company.

Mr. Lancaster, from the committee on enrolment, reported as correctly enrolled "An act appointing commissioners to lay out and establish certain state roads and for other purposes."

On motion, the House adjourned until Monday morning at half-past nine.

Monday, February 26.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Berry.

The roll having been called, there were absent, Messrs. King and Risdon.

The proceedings of yesterday having been read,

The Chair announced a statement from the banks of Michigan, Tecumseh, Gibraltar, Farmers' and Mechanics' at Pontiac, and Kensington, which were laid upon the table and ordered to be printed; also a claim of Robert Abbott, which was referred to the committee on claims.

Petitions presented: By Mr. Buel, for the relief of sundry banking associations, which was, on motion of Mr. Gant, referred to a select committee of five, one from each senatorial district; whereupon the Chair announced Messrs. Buckbee, Cook, Payne, Lancaster and Gant, as said committee. By Mr. Thompson, for an act to establish the place for holding the next township meeting in the town of Seneca. By Mr. Ball, for the organization of town eight north, of ranges ten and eleven west, to be called Plainfield; referred to the committee on towns and counties. By Mr. Adams, that the board of internal improvement might be instructed to expend the forty thousand dollars appropriated last year for the Mt. Clemens and Kalamazoo canal, on that part of said canal lying west of the village of Utica; referred to the committee on internal improvement. By Mr. Vickery, from the Hon. E. A. Lathrop, administrator of the estate of L. J. Daniels, late of Kalamazoo county deceased, praying for the passage of a law to authorize said administrator to sell a part or all of said real estate, which was referred to the committee on the judiciary.

Mr. Gidley, from the committee on agriculture and manufactures, to which was referred a petition from Messrs. Hall and Grovier, reported a bill entitled "A bill to encourage the manufacture of glass within the state of Michigan, which was read the first and second times, and laid upon the table.

Mr. J. Howard, according to notice given and leave granted, introduced a bill entitled "A bill for the encouragement of agriculture of the state of Michigan," which was read the first and second times, and referred to the committee on the judiciary.

Mr. Lancaster offered the following joint resolution, which was read the first and second times, and according to rule, laid upon the table for one day.

Whereas, the select committee appointed by this House to investigate the location of the southern and northern railroads, have been engaged in the arduous duties imposed upon them a great part of the session, in the investigation of the southern route; and whereas, the expense already incurred in said investigation and the delay incident thereto, in the proceedings of the House, and the time that will necessarily be occupied in the investigation of the location of the northern route, whereby the House will be fur-

ther retarded in its proceedings and the session prolonged to a late day ; therefore,

Resolved by the Senate and House of Representatives of the State of Michigan, That the said committee be and they are hereby discharged from the further consideration of the subject, so far as regards the investigation of the location of the northern railroad route.

The rule being suspended, the above resolution was taken up for consideration : Mr. Spafford moved to lay it on the table, which was decided by yeas and nays, in the affirmative, as follows :

YEAS.

Mr. Adams,	Mr. Decker,	Mr. Odell,
Mr. Ball,	Mr. Goodman,	Mr. Pray,
Mr. Burke,	Mr. J. M. Howard,	Mr. Poucher,
Mr. Bement,	Mr. J. Howard,	Mr. H. Smith,
Mr. Beaufait,	Mr. Lacy,	Mr. Spafford,
Mr. Butler,	Mr. Lane,	Mr. Sheldon,
Mr. Buckbee,	Mr. Levake,	Mr. J. R. Smith,
Mr. Champlin,	Mr. McClelland,	Mr. Wakefield,
Mr. Cook,	Mr. Moran,	Mr. Williams,
Mr. Charter,	Mr. Montgomery,	Mr. Speaker, 30

NAYS.

Mr. Draper,	Mr. Hotchkiss,	Mr. Payne,
Mr. Gidley,	Mr. Kent,	Mr. Thompson,
Mr. Gantt,	Mr. Lancaster,	Mr. Wadhams, 9

On motion of Mr. Bement,

Resolved, That the board of internal improvement be requested to furnish this House any plats or other information in their possession relative to a proposed canal from the St. Joseph river eastward.

The following resolution, heretofore submitted by Mr. J. M. Howard and laid upon the table, was taken up and adopted, by yeas and nays, as follows :

YEAS.

Mr. Adams,	Mr. Decker,	Mr. McClelland,
Mr. Ball,	Mr. Draper,	Mr. Moran,
Mr. Burke,	Mr. Goodman,	Mr. Montgomery,
Mr. Bement,	Mr. Gidley,	Mr. Odell,
Mr. Buel,	Mr. Gantt,	Mr. Payne,

Mr. Beaufait,	Mr. J. M. Howard,	Mr. H. Smith,
Mr. Butler,	Mr. J. Howard,	Mr. Spafford,
Mr. Buckbee,	Mr. Hotchkiss,	Mr. Sheldon,
Mr. Champlin,	Mr. Kellogg,	Mr. J. R. Smith,
Mr. Cook,	Mr. Kent,	Mr. Thompson,
Mr. Crane,	Mr. Lacey,	Mr. Vickery,
Mr. Dorsey,	Mr. Lane,	Mr. Speaker,
Mr. Doty,	Mr. Lancaster,	38

NAYS.

Mr. Charter,	Mr. Levake,	Mr. Wakefield,	3
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Resolved, That the state printer lay before this House without unnecessary delay, printed copies of the communication of the Executive, of the eighth of February, eighteen hundred and thirty-eight, and of the accompanying documents.

The Chair announced a message from the Senate, in the words following :

Mr. SPEAKER—In pursuance of the rules of the Senate, I here-with return without amendment, the bill entitled “A bill authorizing the commissioners of common schools of the township of Erie in Monroe county, to collect certain rents herein mentioned.”

On motion of Mr. Bement, bill number sixty-one, entitled “A bill to organize the county of Ingham,” was referred to the committee on the judiciary.

On motion, the House then resolved itself into a committee of the whole, Mr. Kent in the chair, upon bill number fifty-four, to locate the state penitentiary, and after some time spent thereon, the committee rose, and through their chairman, reported the same to the House with sundry amendments, which were concurred in, and said bill was ordered to be engrossed for a third reading.

The House then resolved itself into a committee of the whole, Mr. Williams in the chair, upon bills number forty-five and forty-six, entitled “A bill for the relief of Giles B. Kellogg, executor of the last will and testament of Daniel M. Kellogg, deceased,” and “A bill to amend an act entitled ‘An act to incorporate the mechanics’ society of the city of Detroit,’ ” and after some time spent thereon; the committee rose, and through their chairman

reported the same to the House with sundry amendments, which were concurred in, and bill number forty-five was ordered to be engrossed for a third reading.

On motion of Mr. Buel, bill forty-six was amended by striking out the proviso made in committee of the whole.

Mr. Gantt moved to strike out all after the enacting clause, which was decided, by yeas and nays, in the negative, as follows :

YEAS.

Mr. Gantt,
Mr. Levake,

Mr. Odell,

Mr. Speaker,

4

NAYS.

Mr. Adams,
Mr. Burke,
Mr. Bement,
Mr. Buel,
Mr. Beaufait,
Mr. Butler,
Mr. Buckbee,
Mr. Champlin,
Mr. Cook,
Mr. Dorsey,
Mr. Doty,
Mr. Draper,

Mr. Goodman,
Mr. Gidley,
Mr. J. M. Howard,
Mr. J. Howard,
Mr. Hotchkiss,
Mr. Kellogg,
Mr. Kent,
Mr. Lane,
Mr. Lancaster,
Mr. McClelland,
Mr. Moran,

Mr. Montgomery,
Mr. Pray,
Mr. Payne,
Mr. Poucher,
Mr. J. Smith,
Mr. Spafford,
Mr. Sheldon,
Mr. Thompson,
Mr. Vickery,
Mr. Williams,
Mr. Wadham,

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Said bill was then ordered to be engrossed for a third reading.

The Chair announced a message from the Senate, in the words following :

Mr. SPEAKER—In pursuance of the rules of the Senate, I here-with transmit a bill, which has passed the Senate, entitled “A bill for the relief of the township of Shelby, in the county of Macomb, and for other purposes,” in which the concurrence of the House of Representatives is respectfully requested.

The above bill was read the first and second times, and referred to the committee on the judiciary.

The Chair announced a message from the Senate, in the words following :

Mr. SPEAKER—In pursuance of the rules of the Senate, I here-with return to the House of Representatives, the bill to incorporate the village of Utica; also the bill to authorize the building of a certain dam therein named, with sundry amendments to

each, in which the Senate respectfully ask the concurrence of the House.

The above bills, with the amendments, were laid upon the table.

Mr. J. M. Howard, from the committee on education, to which was referred a petition from the district board of school district number one, to legalize certain acts, reported that their acts were in accordance with law, and thereupon asked to be discharged from the further consideration of the subject, which report was accepted.

On motion, the House adjourned.

AFTERNOON SESSION.

The House met pursuant to adjournment.

The roll having been called,

The House then resolved itself into a committee of the whole, Mr. Lane in the chair, upon bill twenty-eight, entitled "A bill relative to the state geological survey," and repealing an act entitled "An act to provide for a geological survey of the state;" and after some time spent thereon, the committee rose, and through their chairman reported the same to the House with sundry amendments, which were concurred in.

Mr. J. Howard moved to amend section tenth by striking out the word "advance" in line two, which was decided in the affirmative.

On motion of Mr. McClelland, section ninth was amended by striking out in lines two and three, the word "February," and inserting "March."

Mr. Gidley moved to strike out all after the enacting clause, which was decided, by yeas and nays, in the affirmative, as follows:

YEAS.

Mr. Burke,	Mr. Gantt,	Mr. Odell,
Mr. Beaufait,	Mr. J. Howard,	Mr. Payne,
Mr. Butler,	Mr. Hotchkiss,	Mr. Sheldon,
Mr. Champlin,	Mr. Kent,	Mr. J. R. Smith,
Mr. Dorsey,	Mr. Lacey,	Mr. Thompson,
Mr. Draper,	Mr. Lane,	Mr. Vickery,
Mr. Goodman,	Mr. Lancaster,	Mr. Speaker,
Mr. Gidley,	Mr. Moran,	

NAYS.

Mr. Adams,
Mr. Ball,
Mr. Buel,
Mr. Buckbee,
Mr. Cook,
Mr. Crane,
Mr. Doty,

Mr. Decker,
Mr. J. M. Howard,
Mr. Kellogg,
Mr. McClelland,
Mr. Montgomery,
Mr. Pray,

Mr. Poucher,
Mr. Risdon,
Mr. H. Smith,
Mr. Spafford,
Mr. Wakefield,
Mr. Wadham,

19

On motion, the House adjourned.

Tuesday, February 27.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Berry.

The roll having been called, there were absent, Messrs. Dörsey, King and Lacey.

The proceedings of yesterday having been read,

The following petitions were presented: By Mr. Ball, for the organization of a town in the county of Kent, to be called Ada; also a memorial relating to the county site of the county of Ottawa. By Mr. Montgomery, relative to a division of the town of Macon; referred to the committee on towns and counties. By Mr. Lancaster, in relation to the southern railroad; referred to the select committee of investigation. By Mr. Hotchkiss, for a railroad from the village of Medina, through Canandaigua to some point on the southern railroad; referred to the committee on internal improvement. By Mr. Montgomery, from inhabitants of London, in the county of Monroe, praying the repeal of the law granting license to sell ardent spirits: also praying the enactment of a law prohibiting the traffic in distilled spirits and wines; referred to the committee on Indian affairs.

The Chair announced a communication from the Hon. Isaac E. Crary, transmitting a circular of the committee on agriculture of the House of Representatives of the United States, relative to the culture of the mulberry and sugar beet, which was read and referred to the committee on agriculture and manufactures; also announced a statement from the Michigan state bank, and Bank of Brest, which was laid upon the table and ordered to be printed.

Mr. Adams offered the following resolution, which was laid on the table:

Resolved, That the select committee who have under consideration a review of the location of the northern and southern railroad, be instructed to limit their enquiries as to the location of the northern railroad, to the eastern termination of the route surveyed, and reported on by the board of commissioners, to the location in the county of Shiawassee.

On motion of Mr. Crane,

Resolved, That the select committee appointed to review the location of the northern and southern railroad, be requested to report to this House without delay the number of petitioners who have asked for a change of location on the northern route, and also the number who remonstrate against any alteration in the route.

On motion of Mr. Moran,

Resolved, That the judiciary committee be instructed to enquire whether any, if so, what legislation is necessary relative to the organization of the supreme and circuit court of the state, and report by bill or otherwise.

Mr. McClelland gave notice that at some future day he should ask leave to introduce "A bill in addition to, and amendatory of, an act entitled 'An act for the filing and recording of wills proven without this territory, and for taking affidavits in writing for the probate of wills in certain cases.'"

Mr. Decker gave notice that at some future day he should ask leave to bring in a bill to amend an act entitled "An act for the regulation of internal improvement and for the appointment of a board of commissioners," approved March 12, 1837.

Mr. McClelland, from the committee on enrolment, reported as correctly enrolled "An act authorizing the commissioners of common schools of the township of Erie in Monroe county, to collect certain rents herein mentioned."

The engrossed bill from the Senate, entitled "A bill to incorporate the Blissfield and Morenci macadamized or turnpike road company," was taken up, read the third time, and the question on the final passage was decided, by yeas and nays, in the affirmative, as follows:

YEAS.

Mr. Adams,	Mr. Gantt,	Mr. Payne,
Mr. Ball,	Mr. J. M. Howard,	Mr. Poucher,
Mr. Burke,	Mr. J. Howard,	Mr. Risdon,
Mr. Buel,	Mr. Hotchkiss,	Mr. H. Smith,
Mr. Beaufait,	Mr. Kellogg,	Mr. Spaford,
Mr. Butler,	Mr. Kent,	Mr. Sheldon,
Mr. Cook,	Mr. Lane,	Mr. Thompson,
Mr. Crane,	Mr. Lancaster,	Mr. Vickery,
Mr. Charter,	Mr. McClelland,	Mr. Wakefield,
Mr. Doty,	Mr. Moran,	Mr. Wixom,
Mr. Decker,	Mr. Montgomery,	Mr. Williams,
Mr. Draper,	Mr. Odell,	Mr. Wadham,
Mr. Goodman,	Mr. Pray,	Mr. Speaker,
Mr. Gidley,		

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NAYS.

Mr. Levake,

1

On motion of Mr. McClelland, the bill to provide for a state geological survey, was recommitted to the select committee on that subject.

The engrossed bill entitled "A bill for the relief of Giles B. Kellogg, executor of the last will and testament of Daniel M. Kellogg, deceased," was taken up for a third reading.

On motion of Mr. Buckbee, said bill was amended by adding the following proviso : "and provided moreover, that within six months after each sale, said executor shall make under oath, a true statement, to said judge of probate, of the amount of the proceeds of said sale and the times thereof ;" said bill was then read the third time and passed.

The engrossed bill entitled "A bill to encourage the manufacture of sugar from the beet," was taken up for a third reading, and on motion of Mr. Montgomery, was amended by inserting after the word "manufactured," in line five of section two, the words "and shall then exhibit and deposite a specimen of the same, not less than one pound, which shall be held subject to the order of any vice president of the state agricultural society;" said bill was then read the third time, and the question on the final passage of the bill, was decided, by yeas and nays, in the affirmative, as follows :

YEAS.

Mr. Adams,	Mr. Gidley,	Mr. Odell,
Mr. Ball,	Mr. Gantt,	Mr. Pray,
Mr. Bement,	Mr. J. M. Howard,	Mr. Payne,
Mr. Beaufait,	Mr. J. Howard,	Mr. Risdon,
Mr. Butler,	Mr. Hotchkiss,	Mr. H. Smith,
Mr. Buckbee,	Mr. Kellogg,	Mr. Spafford,
Mr. Crane,	Mr. Kent,	Mr. Sheldon,
Mr. Doty,	Mr. Lacey,	Mr. J. R. Smith,
Mr. Decker,	Mr. Lane,	Mr. Thompson,
Mr. Draper,	Mr. Lancaster,	Mr. Wakefield,
Mr. Goodman,	Mr. Montgomery,	Mr. Wixom, 33

NAYS.

Mr. Burke,	Mr. McClelland,	Mr. Williams,
Mr. Cook,	Mr. Moran,	Mr. Wadham,
Mr. Charter,	Mr. Vickery,	Mr. Speaker, 10
Mr. Levake,		

The engrossed bill entitled "A bill to locate the state penitentiary," was taken up, read a third time, and the question on the final passage was decided, by yeas and nays, in the affirmative, as follows :

• YEAS.

Mr. Adams,	Mr. Goodman,	Mr. Odell,
Mr. Ball,	Mr. Gidley,	Mr. Pray,
Mr. Burke,	Mr. Gantt,	Mr. Payne,
Mr. Bement,	Mr. J. M. Howard,	Mr. Poucher,
Mr. Buel,	Mr. J. Howard,	Mr. Risdon,
Mr. Beaufait,	Mr. Hotchkiss,	Mr. H. Smith,
Mr. Butler,	Mr. Kellogg,	Mr. Spafford,
Mr. Buckbee,	Mr. Kent,	Mr. Sheldon,
Mr. Champlin,	Mr. Lacey,	Mr. J. R. Smith,
Mr. Cook,	Mr. Lane,	Mr. Thompson,
Mr. Crane,	Mr. Lancaster,	Mr. Vickery,
Mr. Charter,	Mr. Levake,	Mr. Wakefield,
Mr. Doty,	Mr. McClelland,	Mr. Williams,
Mr. Decker,	Mr. Moran,	Mr. Wadham,
Mr. Draper,	Mr. Montgomery,	Mr. Speaker, 45

NAYS.

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The engrossed bill entitled "A bill to organize the county of Barry," was taken up, read a third time and passed.

The Chair announced a message from the Executive, which having been read, was laid on the table and three hundred copies ordered to be printed.

[See Document No. 44.]

The engrossed bill entitled "A bill to amend an act entitled 'An act to incorporate the mechanics' society of the city of Detroit," was taken up, read the third time, and the question on the final passage of the bill, was decided, by yeas and nays, in the affirmative, as follows:

YEAS.

Mr. Adams,	Mr. Goodman,	Mr. Pray,
Mr. Burke,	Mr. Gidley,	Mr. Payne,
Mr. Bement,	Mr. Ganti,	Mr. Risdon,
Mr. Buel,	Mr. J. M. Howard,	Mr. H. Smith,
Mr. Beaufait,	Mr. J. Howard,	Mr. Spafford,
Mr. Butler,	Mr. Hotchkiss,	Mr. Sheldon,
Mr. Champlin,	Mr. Kellogg,	Mr. J. R. Smith,
Mr. Cook,	Mr. Kent,	Mr. Thompson,
Mr. Crane,	Mr. Lane,	Mr. Vickery,
Mr. Charter,	Mr. Lancaster,	Mr. Wakefield,
Mr. Doty,	Mr. McClelland,	Mr. Wixom,
Mr. Decker,	Mr. Moran,	Mr. Williams,
Mr. Draper,	Mr. Montgomery,	Mr. Wadhams, 39

NAYS.

Mr. Buckbee,	Mr. Odell,	Mr. Speaker,
Mr. Laceey,		

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The following message was received from the Governor by C. C. Jackson, Esq. his private secretary:

To the House of Representatives:

I have this day approved and filed in the office of the Secretary of State, the following act, viz: "An act authorizing the commissioners of common schools of the township of Erie, in Monroe county, to collect certain rents herein mentioned."

STEVENS T. MASON.

February, 27, 1838.

On motion of Mr. Henry Smith, the following was adopted to stand as the forty-eighth rule.

48. A motion to lay on the table shall not be debatable.

Mr. McClelland presented the claims of Thomas Clark, for services rendered the legislature.

Mr. Butler presented a claim of William Parrish for services rendered on the central railroad; referred to the committee on claims.

On motion of Mr. McClelland, bills number forty-eight, forty-nine, fifty-one and fifty-two, were referred to the committee on the judiciary.

On motion, the House adjourned.

AFTERNOON SESSION.

The House met pursuant to adjournment.

The roll being called, the House resolved itself into committee of the whole, Mr. Wakefield in the chair, upon bill thirty and thirty-seven, entitled "A bill to incorporate the Mottville and White Pigeon railroad company," and "Of the militia and public defence;" and after some time spent thereon, the committee rose, and through their chairman reported the same back to the House with sundry amendments, which were concurred in, and bill number thirty was laid on the table.

Mr. Wakefield moved to lay bill thirty-seven upon the table, pending which motion, the House adjourned.

Wednesday, February 28.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Berry.

The roll having been called, there were absent, Messrs. King, Decker and Levake.

The proceedings of yesterday having been read,

Leave of absence was granted to Mr. Decker, for two days.

Leave was granted to Mr. Ball to withdraw a petition by him presented, for the organization of town eight north, of range ten and eleven west, to be called Plainfield, that he might present the same to the Senate.

Petitions presented : By Mr. Montgomery, relative to the township of Macon, in the county of Lenawee ; referred to the committee on towns and counties. By Mr. J. Howard, for the relief of William Lundy, accompanied with a communication from the president of the board of internal improvement ; referred to the committee on claims. By Mr. Lane, in relation to the northern railroad ; referred to the select committee of investigation. By Mr. Risdon, in relation to the incorporation of the Brest and St. Joseph canal and river navigation company ; referred to the committee on banks and incorporations. By Mr. Ball, of the inhabitants of the township of Byron, against annexing a part of said town to the town of Kent ; referred to the committee on towns and counties. By Mr. McClelland, for the incorporation of the Monroe rifle guards, which was, on his motion, laid upon the table.

Mr. Bement, from the committee on banks and incorporations, reported a bill entitled "A bill to amend an act entitled 'An act to incorporate the village of Pontiac,'" which was read the first and second times and laid upon the table.

Mr. Wakefield, according to notice given and leave granted; introduced "A bill to incorporate the Cadmean seminary," which was read the first and second times, and referred to the committee on banks and incorporations.

Mr. Buel, from the select committee of investigation, who were by resolution required to report to this House the number of petitioners for a review of the northern railroad, and the number who remonstrated against such review, reported thereon, that about thirteen [hundred] and ninety-nine petitioned, and about three hundred and eight remonstrated.

On motion of Mr. Goodman,

Resolved, That the state geologist be requested to make a statement to this House as soon as convenient, of the advantages which may probably result to the agricultural and botanical interest, from the geological survey of the state now in progress.

Mr. Odell offered the following resolution, and moved its adoption :

Resolved, That the commissioners of internal improvement, be and they are hereby required, on or before the tenth day of March, A. D. 1838, to furnish to both houses of the legislature,

an account current of the disbursements on the several public works under their charge, out of the internal improvement fund; and that such account state, with all practicable minuteness, the items and objects of such disbursements, supported by the affidavit of the several disbursing officers making the same, accompanied by copies of the proper vouchers; and that said account also state the amount and kind of personal property purchased by said commissioners, and what disposition has been made of the same.

Mr. Gantt moved to lay the resolution upon the table, which was decided, by yeas and nays, in the negative, as follows:

YEAS.

Mr. Ball,	Mr. Gantt,	Mr. Pray,
Mr. Crane,	Mr. J. Howard,	Mr. Poucher,
Mr. Charter,	Mr. Kent,	Mr. Wadham,
Mr. Draper,	Mr. Lancaster,	

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NAYS.

Mr. Adams,	Mr. Gidley,	Mr. Risdon,
Mr. Burke,	Mr. J. M. Howard,	Mr. H. Smith,
Mr. Bement,	Mr. Hotchkiss,	Mr. Spafford,
Mr. Buel,	Mr. Kellogg,	Mr. J. R. Smith,
Mr. Butler,	Mr. Lacey,	Mr. Thompson,
Mr. Buckbee,	Mr. Lane,	Mr. Vickery,
Mr. Chatplin,	Mr. McClelland,	Mr. Wakefield,
Mr. Dorsey,	Mr. Montgomery,	Mr. Wixom,
Mr. Doty,	Mr. Odell,	Mr. Williams,
Mr. Goodman,	Mr. Payne,	Mr. Speaker,

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Mr. Gantt then moved to amend by inserting the words "by the Senate and House of Representatives," which was decided in the affirmative.

Said resolution being made joint, was read the first and second times, and according to rule, laid upon the table for one day.

The rule being suspended, said resolution was taken up for consideration.

Mr. McClelland moved to amend said resolution further, by striking out the words "accompanied by copies of the proper vouchers."

Mr. Smith moved to amend the amendment by striking out the words "copies of," which was negatived.

Mr. J. Howard then moved to amend the amendment by sub-

stituting the following in lieu of the original resolution which was decided in the affirmative, viz :

"Resolved, That a select committee of five be appointed for the purpose of examining into the expenditures made by the board of internal improvement on the several state roads and canals, and report as soon as practicable, and that they have power to send for persons and papers."

Mr. Butler then moved a reconsideration of the vote taken upon the adoption of the substitute, which was decided, by yeas and nays, in the negative, as follows :

YEAS.

Mr. Bement,	Mr. Goodman,	Mr. Odell,
Mr. Beaufait,	Mr. J. M. Howard,	Mr. J. R. Smith,
Mr. Butler,	Mr. Kellogg,	Mr. Williams,
Mr. Gantt,	Mr. Lane,	

11

NAYS.

Mr. Adams,	Mr. Gidley,	Mr. Poucher,
Mr. Ball,	Mr. J. Howard,	Mr. Risdon,
Mr. Burke,	Mr. Hotchkiss,	Mr. H. Smith,
Mr. Buel,	Mr. Kent,	Mr. Spafford,
Mr. Buckbee,	Mr. Lacy,	Mr. Sheldon,
Mr. Champlin,	Mr. Lancaster,	Mr. Thompson,
Mr. Cook,	Mr. McClelland,	Mr. Vickery,
Mr. Crane,	Mr. Moran,	Mr. Wakefield,
Mr. Charter,	Mr. Montgomery,	Mr. Wixom,
Mr. Dorsey,	Mr. Pray,	Mr. Wadham,
Mr. Doty,	Mr. Payne,	Mr. Speaker,
Mr. Draper,		

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Whereupon, the Chair announced Messrs. J. Howard, Wadham, Wixom, Kent, Odell, as said committee.

Mr. Buel, from the committee on the judiciary, to which was referred "A bill to organize the county of Ingham," reported the same to the House, with sundry amendments, which was laid upon the table.

Mr. Cook offered the following joint resolution, which was read the first and second times, and laid upon the table, according to rule, for one day.

Resolved by the Senate and House of Representatives, That the board of internal improvement be instructed to contract for one hundred miles of railroad iron.

The rule being suspended, the above resolution was read the third time and passed.

The bill to incorporate the village of Utica, with the amendments made thereto by the Senate, was taken up for consideration and the amendments concurred in, and said bill was read the third time and passed.

The Chair announced sundry communications from the president of the board of internal improvement, which having been read, were referred to the committee on internal improvement.

The following message was received from the Executive, through C. C. Jackson, Esq. his private secretary:

To the House of Representatives:

I have this day approved and filed in the office of the Secretary of State, the following acts, viz : "An act to authorize the supervisors of the county of Kent to loan a certain sum of money," "An act appointing commissioners to lay out and establish certain state roads and for other purposes," and "An act appointing commissioners to lay out and establish certain state roads."

STEVENS T. MASON.

February 28, 1838.

Mr. McClelland gave notice that at some future day he should ask leave to introduce "A bill to incorporate the Monroe rifle guards."

The House then resolved itself into a committee of the whole, Mr. Thompson in the chair, upon "A bill to incorporate the village of Kalamazoo," and after some time spent thereon, the committee rose, and through their chairman reported progress, and asked and obtained leave to sit again.

Mr. McClelland, according to notice given and leave granted, introduced "A bill in addition to, and amendatory of, an act entitled 'An act for the filing and recording of wills proven without this territory, and for taking affidavits in writing for the probate of wills in certain cases,'" which was read the first and second times, and referred to the committee on the judiciary.

On motion, the House adjourned.

AFTERNOON SESSION.

The House met pursuant to adjournment.

The roll being called, the Chair announced a communication

from the cashier of the Grand river bank, giving a statement of its affairs, which was laid upon the table to be printed.

The engrossed bill entitled "A bill to incorporate the Macomb academy," was taken up for a third reading.

Mr. Butler moved to amend by striking out all after the enacting clause.

Mr. McClelland moved to amend by postponing the consideration of the bill indefinitely, which was decided in the affirmative.

Bill number twenty-one, entitled "A bill to authorize the building of a certain dam therein named," with the amendments made thereto by the Senate, was taken up for consideration, and the amendments were severally concurred in; said bill was then read the third time and passed.

The Chair announced a message from the Senate, in the words following :

Mr. SPEAKER—In pursuance of the rules of the Senate, I herewith return the bill entitled "A bill to incorporate the Auburn and Lapeer railroad company," which has passed the Senate with amendments. I also return "A bill to encourage the publication of the history of Michigan, and of the gazetteer of Michigan, and to subscribe for three hundred copies of each," which has also passed with amendments, in which several amendments the concurrence of the House is respectfully requested.

The above bills, with the amendments, were laid upon the table.

The House then resolved itself into a committee of the whole, Mr. J. R. Smith in the chair, upon bill number twelve, "To incorporate the Michigan college," and after some time spent thereon, the committee rose, and through their chairman reported progress and asked and obtained leave to sit again.

On motion of Mr. Buel, the bill "To establish in part the location of the state southern railroad," was ordered to be printed.

Mr. McClelland moved that three hundred copies of the report of the investigating committee be printed; Mr. Lancaster moved to amend by including the testimony taken by said committee; pending which question, the House adjourned.

Mar. 1.] HOUSE OF REPRESENTATIVES. **202**

Thursday, March 1.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Berry.

The roll having been called, there were absent, Messrs. King and Henry Smith.

The proceedings of yesterday having been read,

The following petitions were presented : By Mr. Montgomery, relative to the town of Macon ; referred to the committee on towns and counties. By Mr. Wixom, from the agricultural society of Oakland ; referred to the committee on agriculture and manufactures. By Mr. J. R. Smith, from inhabitants of Shiawassee, for a canal from the village of Owasso to Lookinglass river. By Mr. Crane, from E. Barnard and one hundred and fifty others, for a branch of the Clinton canal from Livingston centre to Grand Rapids, in Kent county ; referred to the committee on internal improvement. By Mr. J. R. Smith, for a state road from the village of Flint in the county of Genesee, to the village of Owasso, in the county of Shiawassee. By Mr. Ball; for a state road from the village of Grand Rapids to the village of Lyons, through the county seat of Ionia county ; referred to the committee on roads and bridges.

The Chair announced a communication from the Auditor General, which having been read, was referred to the committee on claims ; also a statement from the Bank of Allegan, which was laid upon the table to be printed.

Mr. Buel, from the select committee to which was referred the bill to provide for a state geological survey, reported a substitute, which was laid upon the table.

Mr. Crane, from the committee on organization of towns and counties, to which was referred the petition of sundry inhabitants of Kent county, asking for the passage of a law annexing sections number one, two, three, four and five, in town six north, of range twelve west, to the township of Kent, reported that in their opinion it is inexpedient to grant the prayer of the petitioners, and they therefore asked to be discharged from the further consideration of the subject, which was accepted.

Mr. Buel, from the select committee of investigation, on the

northern and southern railroad routes, reported the following preamble and resolution, and moved its adoption :

Whereas, the majority of the joint committee of the Senate and House of Representatives, to whom were referred sundry petitions, touching the location of the northern and southern railroad routes, have made a report to the House, recommending an alteration of the southern railroad route between the city of Monroe and the village of Branch, a copy of which report was forwarded to the Senate; and whereas, subsequently the minority of said joint committee did make to the Senate a counter report, which was read, while the report of the majority was laid upon the table; and whereas, the Senate did subsequently order both said reports to be printed, and declined hearing the report of the majority read; therefore,

Resolved, That the committee appointed on the part of the House, be and they are hereby directed to report henceforth, as a separate and distinct committee of this House.

The question on its adoption was decided, by yeas and nays, in the negative, as follows :

YEAS.

Mr. Burke,	Mr. Gantt,	Mr. Montgomery,
Mr. Buel,	Mr. J. M. Howard,	Mr. Odell,
Mr. Buckbee,	Mr. Kellogg,	Mr. Poucher,
Mr. Champlin,	Mr. Lacey,	Mr. Risdon,
Mr. Dorsey,	Mr. Lane,	Mr. Spafford,
Mr. Doty,	Mr. Levake,	Mr. J. R. Smith,
Mr. Goodman,	Mr. Moran,	Mr. Vickery, 21

NAYS.

Mr. Adams,	Mr. Gidley,	Mr. Payne,
Mr. Ball,	Mr. J. Howard,	Mr. Thompson,
Mr. Beaufait,	Mr. Hotchkiss,	Mr. Wakefield,
Mr. Butler,	Mr. Kent,	Mr. Wixom,
Mr. Cook,	Mr. Lancaster,	Mr. Williams,
Mr. Crane,	Mr. McClelland,	Mr. Wadham,
Mr. Charter,	Mr. Pray,	Mr. Speaker,
Mr. Draper,		22

Mr. McClelland, according to notice given and leave granted, introduced "A bill to incorporate the Monroe rifle guards," which was read the first and second times, and referred to the committee on themilitia.

On motion of Mr. Buckbee,

Resolved, That the board of commissioners of internal improvement be instructed to report to this House this rate of toll that they deem proper to be fixed by law on the portion of the Detroit and St. Joseph railroad now in operation between Detroit and Ypsilanti, as soon as convenient.

On motion of Mr. Buckbee,

Resolved, That the committee on the revised code be requested to examine so much of the same, as relates to the sale of the real estate of deceased persons by executors and administrators, whether the same is required to be at public or private sale, and whether it may or may not be sold either way, subject to the order of the judge of probate in the county where it is situated, and report to this House.

On motion of Mr. Cook,

Resolved, That the committee on internal improvement be directed to inquire into the propriety of establishing by law the rate of tolls and the collection of the revenue upon the central railroad between Detroit and Ypsilanti, and report to this House by bill or otherwise.

On motion of Mr. Lancaster,

Resolved, That the select committee, to whom was referred the subject of the relocation of the southern railroad, be and they are hereby required to report to this House without delay, the whole number of names praying for a relocation, and the whole number of names remonstrating against any alteration in said road, which have been referred to said committee, and to the committee from the Senate, who sat in connection with said committee.

Mr. McClelland called up the question, which was pending when the House adjourned yesterday, relative to the printing of the testimony and report of the investigating committee.

Mr. Lancaster withdrew his motion to include testimony : when Mr. McClelland moved to amend the motion made yesterday to print three hundred copies of the report, by increasing the number to five hundred of the report of the majority of the committee, and of the majority of the committee on the part of the

Senate, for the use of the House, which was decided in the affirmative.

[See Document No. 45.]

The House resolved itself into a committee the whole, Mr. Buckbee in the chair, upon bill number forty-one, relative to state annual reports, and a bill from the Senate for the relief of the Shelby and Detroit railroad company, and after some time spent thereon, the committee rose, and through their chairman, reported the same to the House with sundry amendments which were concurred in, and said bills were ordered to be engrossed for a third reading.

On motion of Mr. Henry Smith, the bill to incorporate the Monroe city guards, and a bill to incorporate the Detroit city guards, were committed to the committee on the militia.

On motion, the House then resolved itself into the committee of the whole, Mr. Crane in the chair, upon bill number forty-three, to amend an act to provide for the appointment of a state printer and to prescribe his powers and duties, approved March 3, 1837, and "A bill to authorize the State Treasurer to receive certain bank bills for state taxes," and after some time spent thereon, the committee rose, and through their chairman, reported the same to the House with sundry amendments, and the amendments to bill fifty-seven, were concurred in, and said bill ordered to be engrossed for a third reading; and the question upon concurring in the amendment made to bill forty-three, viz: to strike out all after the enacting clause, was decided, by yeas and nays, in the affirmative, as follows:

YEAS.

Mr. Adams,	Mr. Charter,	Mr. Poucher,
Mr. Ball,	Mr. Dorsey,	Mr. Risdon,
Mr. Burke,	Mr. Doty,	Mr. H. Smith,
Mr. Bement,	Mr. Kent,	Mr. Wakefield,
Mr. Buel,	Mr. Lancaster,	Mr. Wixom,
Mr. Beaufait,	Mr. Moran,	Mr. Wadham,
Mr. Buckbee,	Mr. Montgomery,	Mr. Speaker,
Mr. Crane,	Mr. Pray,	

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NAYS.

Mr. Butler,	Mr. J. Howard,	Mr. Payne,
Mr. Cook,	Mr. Hotchkiss,	Mr. Spafford,

Mr. Draper,	Mr. Kellogg,	Mr. Sheldon,
Mr. Goodman,	Mr. Lacey,	Mr. J. R. Smith,
Mr. Gidley,	Mr. Lane,	Mr. Thompson,
Mr. J. M. Howard,	Mr. Odell,	Mr. Vickery. 17

Mr. Cook moved to refer the enacting clause to the committee on printing. Mr. Buckbee moved to lay it upon the table, which was decided, by yeas and nays, in the affirmative, as follows:

YEAS.

Mr. Adams,	Mr. Charter,	Mr. Poucher,
Mr. Ball,	Mr. Dorsey,	Mr. Risdon,
Mr. Burke,	Mr. Doty,	Mr. H. Smith,
Mr. Bement,	Mr. Gantt,	Mr. Wakefield,
Mr. Buel,	Mr. Kent,	Mr. Wixom,
Mr. Beaufait,	Mr. Lancaster,	Mr. Wadham,
Mr. Buckbee,	Mr. Montgomery,	Mr. Speaker,
Mr. Crane,	Mr. Pray,	

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NAYS.

Mr. Butler,	Mr. Hotchkiss,	Mr. Payne,
Mr. Cook,	Mr. Kellogg,	Mr. Spafford,
Mr. Draper,	Mr. Lacey,	Mr. Sheldon,
Mr. Goodman,	Mr. Lane,	Mr. J. R. Smith,
Mr. Gidley,	Mr. Moran,	Mr. Thompson,
Mr. J. M. Howard,	Mr. Odell,	Mr. Vickery,
Mr. J. Howard,		

19

Mr. Wakefield offered the following preamble and resolution, which was laid upon the table.

Whereas, it is reported and confidently believed, that emissions of notes as currency purporting to be issued and put in circulation by banking institutions or associations authorized by the laws of this state, have been made in violation of an act entitled "An act to organize and regulate banking associations," approved March 15, 1837, and "An act amendatory thereto, approved December 30, 1837;" therefore,

Resolved, That the judiciary committee be directed to enquire whether such emissions have been made and such notes circulated, and if so, to bring in a bill to punish such persons as are engaged in such fraud, either in the emission or circulation of such notes, and if necessary said committee be authorized to send for persons and papers.

On motion, the House adjourned.

AFTERNOON SESSION.

The House met pursuant to adjournment.

The roll having been called,

The Chair announced a message from the Senate, in the words following :

Mr. SPEAKER—In pursuance of the rules of the Senate, I herewith transmit a resolution relative to the adjournment of the legislature, which has passed the Senate, and in which the concurrence of the House of Representatives is respectfully requested; I also herewith return without amendment the bill from the House of Representatives, entitled "A bill to locate the state penitentiary."

The above resolution was read the first and second times, and according to rule laid upon the table for one day.

On motion of Mr. Spafford, the rule was suspended, and the resolution was read the third time and passed.

Mr. Goodman presented a communication from the State Geologist, which, having been read, was ordered to be printed in the several papers of the city.

[See Document No. 46.]

Petitions presented : By Mr. McClelland, from sundry citizens of Bedford township, Monroe county, relative to road taxes ; referred to the committee of ways and means. By Mr. Lane, asking a repeal of the law passed at the last session of the legislature relating to county commissioners ; referred to the committee on the judiciary.

The House then took up for consideration the bill to provide for a geological survey of the state, as reported by the select committee.

Mr. Gantt moved to postpone the consideration of said bill indefinitely, which was decided by yeas and nays, in the negative, as follows :

YEAS.

Mr. Burke,

Mr. Butler,

Mr. Charter,

Mr. Draper,

Mr. Gantt,

Mr. J. Howard,

Mr. Lacey,

Mr. Lancaster,

Mr. Moran,

Mr. Odell,

Mr. Payne,

Mr. Sheldon,

12

NAYS.

Mr. Adams,	Mr. Doty,	Mr. Poucher,
Mr. Ball,	Mr. Goodman,	Mr. Risdon,
Mr. Buel,	Mr. Gidley,	Mr. Spafford,
Mr. Beaufait,	Mr. Hotchkiss,	Mr. Thompson,
Mr. Buckbee,	Mr. Kellogg,	Mr. Vickery,
Mr. Champlin,	Mr. Kent,	Mr. Wakefield,
Mr. Cook,	Mr. Lane,	Mr. Wixom,
Mr. Crane,	Mr. McClelland,	Mr. Wadham,
Mr. Dorsey,	Mr. Montgomery,	Mr. Speaker, 27

Mr. Gantt then moved to lay said bill on the table, which was negatived.

The House then resolved itself into committee of the whole, Mr. Payne in the chair, upon said bill, and after some time spent thereon, the committee rose, and through their chairman reported the same to the House without amendment.

Mr. Butler moved to lay the bill upon the table, which was decided, by yeas and nays, in the negative, as follows :

YEAS.

Mr. Butler,	Mr. J. Howard,	Mr. Moran,
Mr. Crane,	Mr. Lacey,	Mr. Odell,
Mr. Cooley,	Mr. Lane,	Mr. Payne,
Mr. Gant,	Mr. Lancaster,	Mr. Thompson, 12

NAYS.

Mr. Adams,	Mr. Draper,	Mr. Pray,
Mr. Ball,	Mr. Goodman,	Mr. Poucher,
Mr. Buel,	Mr. Gidley,	Mr. Risdon,
Mr. Beaufait,	Mr. J. M. Howard,	Mr. Spafford,
Mr. Buckbee,	Mr. Hotchkiss,	Mr. Sheldon,
Mr. Champlin,	Mr. Kellogg,	Mr. Wakefield,
Mr. Cook,	Mr. Kent,	Mr. Wixom,
Mr. Dorsey,	Mr. McClelland,	Mr. Wadham,
Mr. Doty,	Mr. Montgomery,	Mr. Speaker, 27

The question being upon the engrossing of the bill for a third reading,

Mr. Cook moved to amend, by striking out in section nine, line one, the word "twelve," and inserting "ten," which was decided, by yeas and nays, in the negative, as follows ;

YEAS.

Mr. Butler,
Mr. Cook,
Mr. Charter,
Mr. Dorsey,
Mr. Draper,
Mr. Goodman,

Mr. Gantt,
Mr. J. Howard,
Mr. Hotchkiss,
Mr. Lacy,
Mr. Lancaster,
Mr. Moran,

Mr. Payne,
Mr. Sheldon,
Mr. J. R. Smith,
Mr. Thompson,
Mr. Vickery,

17

NAYS.

Mr. Adams,
Mr. Ball,
Mr. Buel,
Mr. Beaufait,
Mr. Buckbee,
Mr. Champlin,
Mr. Crane,
Mr. Doty,

Mr. Gidley,
Mr. J. M. Howard,
Mr. Kellogg,
Mr. Kent,
Mr. McClelland,
Mr. Montgomery,
Mr. Pray,

Mr. Poucher,
Mr. Risdon,
Mr. Spafford,
Mr. Wakefield,
Mr. Wixom,
Mr. Wadham,
Mr. Speaker,

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Mr. Gantt moved to amend by striking out lines one, two and three, and inserting the words "the annual sum of eight thousand dollars for three years, from the 3d day of March, 1838," which was decided, by yeas and nays, in the negative, as follows :

YEAS.

Mr. Butler,
Mr. Gantt,
Mr. J. Howard,
Mr. Lacey,

Mr. Lane,
Mr. Lancaster,
Mr. Moran,
Mr. Odell,

Mr. Payne,
Mr. J. R. Smith,
Mr. Thompson,
Mr. Vickery,

12

NAYS.

Mr. Adams,
Mr. Ball,
Mr. Buel,
Mr. Beaufait,
Mr. Buckbee,
Mr. Champlin,
Mr. Cook,
Mr. Crane,
Mr. Charter,
Mr. Dorsey,

Mr. Doty,
Mr. Draper,
Mr. Goodman,
Mr. Gidley,
Mr. J. M. Howard,
Mr. Hotchkiss,
Mr. Kellogg,
Mr. Kent,
Mr. McClelland,
Mr. Montgomery,

Mr. Pray,
Mr. Poucher,
Mr. Risdon,
Mr. Spafford,
Mr. Sheldon,
Mr. Wakefield,
Mr. Wixom,
Mr. Wadham,
Mr. Speaker,

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Mr. Butler moved to amend line five of section ten, by striking out "eight," and inserting "five."

Mr. Wakefield called for the previous question, which was decided, by yeas and nays, in the affirmative, as follows :

YEAS.

Mr. Adams,	Mr. Draper,	Mr. McClelland,
Mr. Ball,	Mr. Goodman,	Mr. Montgomery,
Mr. Buel,	Mr. Gidley,	Mr. Pray,
Mr. Beaufait,	Mr. J. M. Howard,	Mr. Poucher,
Mr. Buckbee,	Mr. J. Howard,	Mr. Risdon,
Mr. Champlin,	Mr. Kellogg,	Mr. Spafford,
Mr. Cook,	Mr. Kent,	Mr. Wakefield,
Mr. Dorsey,	Mr. King,	Mr. Wixom,
Mr. Doty,		25

NAYS.

Mr. Butler,	Mr. Lancaster,	Mr. J. R. Smith,
Mr. Crane,	Mr. Moran,	Mr. Thompson,
Mr. Gantt,	Mr. Odell,	Mr. Vickery,
Mr. Hotchkiss,	Mr. Payne,	Mr. Wadham,
Mr. Lacey,	Mr. Sheldon,	Mr. Speaker, 15

The question then being upon the engrossment of the bill for a third reading, it was decided, by yeas and nays, in the affirmative, as follows :

YEAS.

Mr. Adams,	Mr. Doty,	Mr. Montgomery,
Mr. Ball,	Mr. Draper,	Mr. Pray,
Mr. Buel,	Mr. Goodman,	Mr. Poucher,
Mr. Beaufait,	Mr. Gidley,	Mr. Risdon,
Mr. Buckbee,	Mr. J. M. Howard,	Mr. Spafford,
Mr. Champlin,	Mr. Hotchkiss,	Mr. Wakefield,
Mr. Cook,	Mr. Kellogg,	Mr. Wixom,
Mr. Crane,	Mr. Kent,	Mr. Wadham,
Mr. Dorsey,	Mr. McClelland,	Mr. Speaker, 27

NAYS.

Mr. Butler,	Mr. Lancaster,	Mr. Sheldon,
Mr. Gantt,	Mr. Moran,	Mr. J. R. Smith,
Mr. J. Howard,	Mr. Odell,	Mr. Thompson,
Mr. Lacey,	Mr. Payne,	Mr. Vickery, 12

On motion, the House adjourned.

Friday, March 2.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Berry.

The roll having been called, there were absent, Messrs. Buckbee, J. R. Smith, and Wakefield.

The proceedings of yesterday having been read,

Leave of absence was granted to Mr. J. R. Smith for two days, and Mr. Wakefield for four days.

Petitions presented; By Mr. Risdon, of W. G. Wheaton and others, for the privilege of building a dam across Grand river. By Mr. Gidley, of W. W. Crane, for a state road; referred to the committee on roads and bridges. By Mr. Hotchkiss, for a repeal of the law authorizing the sale of ardent spirits. By Mr. Draper, a similar petition. By Mr. King, for aid to build a court-house in the county of Michilimackinac. By Mr. Buckbee, to amend the act incorporating the village of Ypsilanti, which were severally referred to the committee on the judiciary. By Mr. Adams, in relation to the Clinton and Kalamazoo canal; referred to the committee on internal improvements. By Mr. Gidley, for the organization of a township. By Mr. Ball, relative to the county seat of the county of Ottawa; referred to the committee on towns and counties.

On motion of Mr. Montgomery, a petition by him presented and referred to the committee on Indian affairs, was referred to the committee on the judiciary.

Mr. Risdon, from the committee on roads and bridges, reported "A bill to authorize the laying out and establishing of certain state roads," which was read the first and second times, and laid upon the table.

The committee on roads and bridges, having had under consideration a petition of Flemming McMath and others, asking the privilege of altering the channel of a certain creek therein named, and believing that this House has not the authority to take the property of an individual for the private use and benefit of another, without that individual's consent, ask to be discharged from the further consideration of the subject.

The committee on roads and bridges to which was referred petitions and remonstrances for and against draining Sand lake, in the county of Lenawee, having given the subject that consideration which the nature of the case required, respectfully report, that they deem it inexpedient to grant the prayer of the petitioners,

and beg to be discharged from the further consideration of the matter.

The above reports were accepted, and the committee discharged.

Mr. Buel, from the committee on the judiciary, made the following report:

The committee on the judiciary, to whom was referred the petition of sundry citizens of the county of Macomb, praying that the act passed at the last session of the legislature, providing for the appointment of commissioners instead of supervisors, be immediately repealed, have had this subject under consideration, and since this act is not and never yet has been in force, respectfully report, that they deem any legislation upon the subject, at present, inexpedient.

All which is respectfully submitted.

Mr. Buel, from the judiciary committee, to which was referred "A bill relative to the probate of wills," reported the same to the House without amendment, and said bill was laid upon the table to be printed.

Mr. Buel, from the select committee of investigation, made the following report:

The select committee of the House to whom were referred sundry petitions touching the location of the northern and southern railroad routes, and who were by resolution instructed to report to this House the number of those who petitioned for, and of those who remonstrated against an alteration of the southern railroad route, have examined the petitions which have come into their possession, and respectfully report, that those who petitioned for an alteration numbered about five thousand and eighty-six, and those who remonstrated against it numbered about four thousand two hundred and eighty-nine.

The counties of Monroe, Branch and St. Joseph, however, can have no great reason to complain, so far as local convenience is concerned, whichever route be adopted. They will be well accommodated by either. Deducting the two thousand two hundred and thirty-eight persons from those counties, who remonstrated against any change of the southern route, and the one thousand

and four persons from the same counties who petitioned for a change, and the result will be as follows :

Those who petitioned for an alteration of the southern railroad route, number about four thousand and eighty-two, and those who remonstrated against any change number about two thousand and fifty-one.

All which is respectfully submitted.

Mr. Lancaster, from the committee on enrolment, reported as correctly enrolled "An act to locate the state penitentiary," and "An act to authorize the building of a certain dam therein named."

Mr. Gidley, from the committee on agriculture and manufactures, to which was referred "A bill for the encouragement of agriculture in the state of Michigan," reported the same to the House without amendment ; said bill was then laid on the table to be printed.

Mr. Crane, from the committee on towns and counties, reported "A bill to organize certain townships, and for other purposes," which was read the first and second times and laid on the table.

On motion of Mr. Gantt,

Resolved, That the committee on expiring laws and what new laws they conceive necessary, be and they are hereby requested to inquire into and report to this House as soon as practicable, what laws they consider called for by the people at present, and which they recommend for the particular action of the legislature at its present session.

On motion of Mr. Buel,

Resolved, That the committee on the militia be instructed to inquire into the expediency of making an appropriation to meet the expenses incurred by calling out the militia of this state, under the orders of the government of the United States, to aid in preserving our neutral relations with Great Britain.

The engrossed bill to provide for a geological survey, was taken up, read the third time, and the question on the final passage was decided, by yeas and nays, in the affirmative, as follows :

YEAS.

Mr. Adams,
Mr. Ball,
Mr. Buel,

Mr. Goodman,
Mr. J. M. Howard,
Mr. Hotchkiss,

Mr. Montgomery,
Mr. Poucher,
Mr. Risdon,

Mr. Beaufait,	Mr. Kellogg,	Mr. H. Smith,
Mr. Buckbee,	Mr. Kent,	Mr. Spafford,
Mr. Champlin,	Mr. King,	Mr. Wixom,
Mr. Crane,	Mr. Levake,	Mr. Wadham,
Mr. Doty,	Mr. McClelland,	Mr. Speaker,
Mr. Draper,		

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NAYS.

Mr. Burke,	Mr. Lacey,	Mr. Sheldon,
Mr. Butler,	Mr. Lane,	Mr. Thompson,
Mr. Charter,	Mr. Lancaster,	Mr. Vickery,
Mr. Gantt,	Mr. Moran,	Mr. Williams,
Mr. J. Howard,	Mr. Odell,	

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Bill number thirty-six, to encourage the publication of the history of Michigan, and of the gazetteer of Michigan, and to subscribe for three hundred copies of each, with the amendments made thereto by the Senate, was taken up for consideration, and the amendments concurred in, except the amendments to section one, viz: after the word dollars to insert "fifty cents," and the amendment to second line of said section, viz: to strike out "of each of said works," and insert "of said history, and two hundred copies of said gazetteer," which were non-concurred in.

The House then resolved itself into a committee 'of the whole, Mr. Goodman in the chair, upon "A bill to organize certain townships, and for other purposes," and after some time spent thereon, the committee rose, and through their chairman, reported the same to the House with sundry amendments, which were concurred in, and said bill was ordered to be engrossed for a third reading.

The rule being suspended, said engrossed bill entitled as above, was read the third time and passed.

The Chair announced a message from the Senate in the words following:

Mr. SPEAKER—In pursuance of the rules of the Senate, I here-with return the bill from the House of Representatives, entitled "A bill to organize certain townships, and for other purposes," with certain amendments made thereto by the Senate, in which the concurrence of the House is respectfully requested.

The above bill with the amendments made thereto, was taken up for consideration and the amendments severally concurred in, except the addition of section fifty-seven, which was non-concurred in.

The House then resolved itself into a committee of the whole, Mr. Sheldon in the chair, upon bill number sixty-three, concerning fugitives from service; and after some time spent thereon, the committee rose, and through their chairman, reported progress and asked leave to sit again, which the House refused to grant, and said bill was recommitted to the committee on the judiciary,

The House then resolved itself into a committee of the whole, Mr. Bement in the chair, upon bill number fifty-nine, to incorporate the village of Grand Rapids, and after some time spent thereon, the committee rose, and through their chairman, reported the same to the House with sundry amendments which were concurred in, and said bill was ordered to be engrossed for a third reading.

The rule being suspended, the engrossed bill entitled as above, was read the third time and passed.

Bill number eighteen, to incorporate the Auburn and Lapeer railroad company, with the amendments made thereto by the Senate, was taken up for consideration, and the amendments severally concurred in.

The bill from the Senate, was then taken up for consideration entitled "A bill to amend an act entitled 'An act to lay out and establish a state road from Ypsilanti in Washtenaw county, to Ridgeway in Lenawee county,' approved March 14, 1837," with the amendment made thereto by the committee on roads and bridges, which was concurred in, and the rule being suspended, was read the third time and passed.

The engrossed bill number fifty-seven, "To authorize the state treasurer to receive certain bank bills for state taxes," was taken up, read the third time and passed.

The House then resumed in committee of the whole, the consideration of the militia bill, and after some time spent thereon, the committee rose, and through their chairman, reported progress and asked and obtained leave to sit again.

Mr. Butler gave notice that, at some future day, he should ask leave to bring in a bill to incorporate a company for the purpose of constructing a railroad, with certain powers and privileges, in the county of Macomb, to commence at or near Stevens mills in

Clinton, and to terminate on Lake St. Clair, at or near the farm of Joseph Sawferson, in Harrison.

On motion, the House adjourned.

AFTERNOON SESSION.

The House met pursuant to adjournment.

The roll having been called,

On motion of Mr. Odell, the vote taken upon the adoption of the resolution relative to the adjournment of the legislature was reconsidered, and said resolution was laid upon the table.

The House then resumed in committee of the whole, the consideration of the militia bill, Mr. J. Howard in the chair, and after some time spent therein, the committee rose and through their chairman reported the same to the House; when Mr. McClelland offered the following resolution:

Resolved, That the bill relating to the militia and public defense be recommitted to the committee on the militia, and that said committee be instructed so to amend the same as to provide for the election of all officers, not ranking higher than colonel, and for the simple enrolment of the militia, and also to abolish the school of instruction.

The question being upon the adoption of the resolution, it was decided, by yeas and nays, in the negative, as follows:

YEAS.

Mr. Cook,	Mr. Gantt,	Mr. Moran,
Mr. Crane,	Mr. J. M. Howard,	Mr. Odell,
Mr. Charter,	Mr. Hotchkiss,	Mr. Thompson,
Mr. Goodman,	Mr. Lacey,	Mr. Vickery,
Mr. Gidley,	Mr. McClelland,	

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NAYS.

Mr. Adams,	Mr. Doty,	Mr. Poucher,
Mr. Ball,	Mr. J. Howard,	Mr. Risdon,
Mr. Bement,	Mr. Kellogg,	Mr. H. Smith,
Mr. Buel,	Mr. Kent,	Mr. Spofford,
Mr. Beaufait,	Mr. Lancaster,	Mr. Sheldon,
Mr. Butler,	Mr. Levake,	Mr. Wixom,
Mr. Buckbee,	Mr. Montgomery,	Mr. Speaker,
Mr. Champlin,	Mr. Pray,	

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The House then resumed the consideration of said bill, in committee of the whole, Mr. J. Howard in the chair, and after

some time spent therein, the committee rose, and through their chairman reported progress, and asked and obtained leave to sit again.

On motion, the House adjourned.

Saturday, March 3.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Berry.

The roll having been called, and

The proceedings of yesterday having been read,

The Chair announced a message from the Senate in the words following :

Mr. SPEAKER—In pursuance of the rules of the Senate, I here-with transmit a bill entitled “A bill to lay out and establish certain state roads,” “A bill granting to Hosmer Graham the right to keep and maintain a ferry across the Detroit river,” and a joint resolution relative to charts concerning land districts of the United States, within this state, which have severally passed the Senate, and in which the concurrence of the House is respectfully requested.

The above bills transmitted from the Senate, were read the first and second times, and referred to the committee on roads and bridges, and the joint resolution was read the first and second times and laid upon the table, according to rule, for one day.

The Chair announced a message from the Senate, in the words following :

Mr. SPEAKER—In pursuance of the rules of the Senate, I here-with return without amendment, the bill from the House of Representatives entitled “A bill to incorporate the village of Allegan.”

The Chair announced a communication from the president of the board of internal improvement, which having been read, was referred to the committee on internal improvement.

The Chair announced a communication from the Hon. E. Mundy, which having been read, Mr. Payne moved to refer it to a select committee of five.

Mr. McClelland moved to amend by referring to the commit-

tee on claims, with instructions to report the facts and their opinion thereon, which was decided in the affirmative.

Petitions presented : By Mr. Thompson, from three hundred and fifty-four inhabitants of Lenawee, for the repeal of section eight of the forty-fourth chapter of the revised statutes. By Mr. Buel, from E. P. Hastings and others, committee of the first Protestant society of Detroit, for an amendment of the constitution of said society ; referred to the committee on the judiciary. By Mr. Spafford, for the organization of a town ; referred to the committee on towns and counties.

Mr. Buckbee, from the select committee, to which was referred the apportionment bill, reported the same to the House with sundry amendments, which was laid upon the table.

On motion of Mr. Henry Smith,

Resolved, That bill number sixty-nine, "to establish in part the southern railroad," be, and the same is hereby made the special order of the day, for Tuesday, sixth March, and each succeeding day until it shall have been finally disposed of by this House.

Mr. Crane, according to notice given and leave granted, introduced "A bill to amend title chapter ninety-seven of part third of the revised code," which was read the first and second times and laid upon the table.

The Chair announced a statement from the St. Joseph county bank, which was laid upon the table and ordered to be printed.

The following message was received from the Executive through C. C. Jackson, Esq., his private secretary :

To the House of Representatives :

I have this day approved, and filed in the office of the Secretary of State, the following acts, viz : "An act to locate the state penitentiary," and "An act to authorize the building of a certain dam therein named."

STEVENS T. MASON.

March 3, 1839.

The House then resumed in committee of the whole, Mr. J. M. Howard in the chair, the consideration of the militia bill, and after some time spent thereon, the committee rose, and, through their chairman reported the same to the House with sundry amendments, which were concurred in.

Mr. McClelland moved to amend section one of chapter two, by striking out "inspector general," and inserting after the word "legislature," the words "inspector general shall be elected by the people of the state at the same time and in the same manner as the state representative in congress is elected, and shall hold his office for and during the term of two years, and until his successor is elected, and shall be qualified to vote at all elections in this state," which was decided, in the affirmative, by yeas and nays, as follows:

YEAS.

Mr. Burke,	Mr. J. M. Howard,	Mr. Odell,
Mr. Beaufait,	Mr. Hotchkiss,	Mr. Sheldon,
Mr. Butler,	Mr. Lacey,	Mr. Thompson,
Mr. Cook,	Mr. Lane,	Mr. Vickery,
Mr. Charter,	Mr. Lancaster,	Mr. Wixom,
Mr. Draper,	Mr. McClelland,	Mr. Williams,
Mr. Goodman,	Mr. Moran,	Mr. Wadhams,
Mr. Gidley,	Mr. Montgomery,	

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NAYS.

Mr. Adams,	Mr. J. Howard,	Mr. Payne,
Mr. Ball,	Mr. Kellogg,	Mr. Pouchet,
Mr. Buckbee,	Mr. Kent,	Mr. Risdon,
Mr. Champlin,	Mr. King,	Mr. H. Smith,
Mr. Doty,	Mr. Levake,	Mr. Spafford,
Mr. Gantt,	Mr. Pray,	Mr. Speakert,

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On motion, the House adjourned until Monday morning at half-past nine.

Monday, March 5.

The House met pursuant to adjournment.

The roll having been called, there were absent, Messrs. Buckbee, Charter, Dorsey, Goodman, Pray and Wixom.

Leave of absence was granted to Mr. Buckbee for one day; to Mr. Pray for two days, and Mr. Charter for one day.

Petitions presented: By Mr. Decker, for the organization of a town. By Mr. Lancaster, for the organization of a town. By Mr. Montgomery, for a division of the town of Somerfield. By Mr. Crane, for a division of the town of Napoleon; referred to the committee on towns and counties. By Mr. Risdon, for a state

road ; referred to the committee on roads and bridges. By Mr. Risdon, for the incorporation of the Brest and St. Joseph canal and river navigation company ; referred to the committee on banks and incorporations.

Mr. Buel, from the committee on the judiciary, to which was referred a bill concerning fugitives from service, reported the same to the House with sundry amendments : also to which was referred the bill for the relief of the township of Shelby, reported the same to the House without amendment : also to which was referred a bill to incorporate the Gibraltar and Flat Rock company, reported the same to the House with sundry amendments : also to which was referred sundry petitions touching the northern and southern railroad routes, reported a portion of the testimony in writing taken upon the investigation of the southern road, which were severally laid on the table.

Mr. Risdon, from the committee on roads and bridges, to which was referred two bills from the Senate, entitled "A bill to lay out and establish certain state roads," and "A bill to authorize Hosmer Graham to keep a ferry between Gibraltar and Malden," reported the same to the House with sundry amendments, which were laid on the table : also reported two bills entitled "A bill to authorize Henry Raymond to keep a ferry across the Detroit river, between Truago and Grosse Isle," and a bill to authorize the building of certain dams therein named," which were read the first and second times and laid on the table.

Mr. Levake, from the select committee to which was referred so much of the Governor's message as relates to the construction of a ship canal around the Falls of Ste. Marie, reported a bill entitled "A bill supplementary to an act authorizing the construction of a ship canal around the Falls of Ste. Marie," which was read the first and second times and laid on the table.

Mr. Moran, from the committee on ways and means, to which was referred a petition of citizens of New Bedford, relative to road taxes, reported that it was in their opinion inexpedient to grant the prayer of the petitioners, for the reason that ample provision was already made by law ; they therefore asked to be discharged from the further consideration of the subject, which report was accepted and the committee discharged.

Mr. Levake offered the following joint resolution, which was read the first and second times, and according to rule, laid on the table for one day:

Resolved by the Senate and House of Representatives of the State of Michigan, That our senators in congress be instructed and our representative be requested to use all their influence to procure from congress a donation of land to this state, to aid in the construction of a ship canal around the Falls of Ste. Marie.

The rule being suspended, the resolution was read the third time and passed.

On motion of Mr. Gantt,

Resolved, That bill number sixty-six, to incorporate the subscribers to the Bank of the lakes, be and the same is hereby made the special order of the day for Thursday, eighth of March, and each succeeding day until it shall have been finally disposed of by this House.

Mr. Lane gave notice that he should at some future day ask leave to bring in a bill granting a loan to the St. Clair and Romeo railroad company.

Mr. Wadham gave notice that he should to-morrow ask leave to bring in a bill to incorporate the village of St. Clair.

On motion of Mr. Montgomery, a petition heretofore referred to the committee on university and school lands, from inhabitants of the township of Erie, was referred to the committee on education.

The Chair announced a message from the Senate, in the words following:

Mr. SPEAKER—In pursuance of the rules of the Senate, I am directed to inform the House of Representatives, that the Senate have receded from their amendments to the bills from the House of Representatives, entitled “A bill to organize certain townships, and for other purposes,” and “A bill to encourage the publication of the history of Michigan and of the gazetteer of Michigan, and to subscribe for three hundred copies of each,” which had been non-concurred in by the House of Representatives. I also herewith return the bills from the House of Representatives, entitled “A bill relative to firemen,” and “A bill to incorporate the village of Romeo,” with amendments, in which the concurrence of the

House of Representatives is respectfully requested. I also here-with transmit a bill which has passed the Senate, entitled "A bill authorizing the building of a certain dam therein named," and in which the concurrence of the House of Representatives is respectfully requested.

The bill to incorporate the village of Romeo, with the amendments made thereto by the Senate, was taken up for consideration, and the amendments severally concurred in, and said bill was read the third time and passed, and the bill relative to firemen, with the amendments, was laid on the table, and the bill transmitted from the Senate, authorizing the building of a certain dam therein named, was read the first and second times, and referred to the committee on roads and bridges.

On motion of Mr. Butler, the vote taken upon referring the communication of the Hon. E. Mundy to the committee on claims, was reconsidered, and Mr. Payne resumed his motion to refer to a select committee of five, which was decided in the affirmative.

Whereupon the Chair announced Messrs, Payne, Butler, Buckbee, Ball and Crane, as said committee.

On motion of Mr. J. Howard, the House resolved itself into committee of the whole, Mr. Montgomery in the chair, upon the bill to incorporate the Gibraltar and Flat Rock company, with the amendments made thereto by the committee on the judiciary, and after some time spent thereon, the committee rose, and through their chairman, reported the same to the House with sundry amendments, which were concurred in, and said bill was ordered to be engrossed for a third reading.

On motion of Mr. Henry Smith, the militia bill was taken up for consideration.

Mr. Moran moved a reconsideration of the vote taken upon the amendment offered by Mr. McClelland, to section one of chapter two, viz : by striking out "inspector general," and inserting after the word "legislature," the words "inspector general shall be elected by the people of the state at the same time and in the same manner as the state representative in congress is elected, and he shall hold his office for and during the term of two years, and until his successor is elected, and shall be qualified to vote

at all elections in this state," which was decided in the affirmative, and the question recurring upon the adoption of the amendment, it was decided in the negative, by yeas and nays, as follows:

YEAS.

Mr. Burke,	Mr. Lacey,	Mr. Sheldon,
Mr. Butler,	Mr. Lane,	Mr. Thompson,
Mr. Cook,	Mr. Lancaster,	Mr. Vickery,
Mr. Draper,	Mr. McClelland,	Mr. Williams,
Mr. Gidley,	Mr. Odell,	Mr. Wadham,
Mr. J. M. Howard,		

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NAYS.

Mr. Adams,	Mr. Gantt,	Mr. Montgomery,
Mr. Ball,	Mr. J. Howard,	Mr. Payne,
Mr. Bement,	Mr. Hotchkiss,	Mr. Poucher,
Mr. Beaufait,	Mr. Kellogg,	Mr. Risdon,
Mr. Champlin,	Mr. Kent,	Mr. H. Smith,
Mr. Crane,	Mr. King,	Mr. Spafford,
Mr. Doty,	Mr. Levake,	Mr. Wixom,
Mr. Decker,	Mr. Moran,	Mr. Speaker, 24

Mr. McClelland moved to strike out all after the enacting clause.

Mr. Henry Smith moved to recommit said bill to the committee on the militia, which was negatived.

Mr. Henry Smith then moved to lay said bill upon the table, which was negatived.

The question then recurring upon striking out, it was decided, by yeas and nays, in the affirmative, as follows:

YEAS.

Mr. Burke,	Mr. J. M. Howard,	Mr. Odell,
Mr. Beaufait,	Mr. Hotchkiss,	Mr. Sheldon,
Mr. Butler,	Mr. Kent,	Mr. Thompson,
Mr. Cook,	Mr. Lacey,	Mr. Vickery,
Mr. Crane,	Mr. Lane,	Mr. Wixom,
Mr. Decker,	Mr. Lancaster,	Mr. Williams,
Mr. Gidley,	Mr. McClelland,	Mr. Wadham,

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NAYS.

Mr. Adams,	Mr. Draper,	Mr. Payne,
Mr. Bement,	Mr. J. Howard,	Mr. H. Smith,

Mr. Buel,	Mr. Kellogg,	Mr. Spafford,
Mr. Champlin,	Mr. Levake,	Mr. Speaker,
Mr. Doty,	Mr. Montgomery,	

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On motion the House adjourned.

AFTERNOON SESSION.

The House met pursuant to adjournment.

The roll having been called,

The Chair announced a message from the Executive in the words following :

To the House of Representatives :

I herewith transmit to the House of Representatives, sundry resolutions of the state legislatures of Ohio and Alabama, on the subject of the annexation of Texas to the United States.

STEVENS T. MASON.

March 5, 1838.

The resolutions above transmitted by the Executive, having been read, were laid on the table.

On motion of Mr. Gantt, bill number sixty-four, to amend an act entitled "An act to organize the counties of Ionia and Van Buren," approved March 18, 1837, was taken up for consideration; having been read through, was ordered to be engrossed for a third reading.

The rule being suspended, the engrossed bill entitled as above, was taken up, read a third time and passed.

On motion of Mr. Gantt, bill number sixty-eight, entitled "A bill to amend an act entitled 'An act to incorporate the village of Pontiac,'" was taken up for consideration, and having been read, was ordered to be engrossed for a third reading.

The engrossed bill, entitled as above, was then read a third time and passed.

On motion of Mr. Henry Smith,

Whereas, certain resolutions have recently passed the provincial parliament of Upper Canada, purporting to be a statement of facts, but reflecting in the severest terms, not only on the authorities of the general government and of other states, but on the authorities of the state of Michigan, and involving the character of the state for the observance of international law; therefore,

Resolved, That a committee of one member of this House from each senatorial district, be appointed to examine said resolutions, and the facts involved, relating to any portion of this state, so far as they can be obtained, and report thereon to this House with as little delay as the case admits.

The Chair announced Messrs Lacey, Butler, Cook, Gidley and Montgomery as said committee.

The House then took up for consideration, a bill from the Senate, "For the relief of the township of Shelby, in the county of Macomb, and for other purposes ;" having been read, said bill was ordered to be engrossed for a third reading.

The rule being suspended, said bill was read the third time and passed.

Mr. McClelland moved that the apportionment bill be made the special order of the day for Wednesday next, which was decided in the affirmative.

Mr. Cook presented the claim of H. P. Cobb, Esq. and H. Stevens, Esq., commissioners to locate the state penitentiary ; referred to the committee on claims.

The following message was received from the Executive by C. C. Jackson, Esq. his private secretary :

To the House of Representatives :

I have this day approved and filed in the office of the Secretary of State, an act entitled "An act to provide for the relief of the Detroit and Pontiac railroad company."

STEVENS T. MASON.

March 5, 1838.

The House then resolved itself into a committee of the whole, Mr. Risdon in the chair, upon a bill from the Senate to authorize Hosmer Graham to keep a ferry between Gibraltar and Malden, and after some time spent therein, the committee rose, and through their chairman reported the same to the House ; and said bill was then referred to a select committee, consisting of Messrs. J. Howard, Cook and McClelland.

The House then resolved itself into a committee of the whole, Mr. Decker in the chair, upon bill twenty-five, to prevent the circulation of tickets of a less denomination than one dollar, and after some time spent therin, the committee rose, and through their

chairman reported the same to the House with sundry amendments, which were concurred in, except the amendment to section one, viz: to fill the blank with five hundred dollars; when on motion of Mr. Gidley, said blank was filled with "fifty." Said bill was then ordered to be engrossed for a third reading.

The rule being suspended, said bill was read the third time and passed.

On motion of Mr. McClelland,

Resolved, That all standing and select committees who have had communications referred to them, which have been acted upon and not returned to the clerk's desk, be requested to return the same without delay.

Mr. Risdon, from the committee on roads and bridges, to which was referred a bill from the Senate to authorize the building of a certain dam therein named, reported the same to the House without amendment, which was laid on the table.

Mr. Lancaster, from the committee on enrolment, reported as correctly enrolled "An act to organize certain townships, and for other purposes."

Mr. Montgomery gave notice that he should ask leave, on some future day, to bring in a bill amendatory to a bill entitled "A bill for the relief of the inhabitants of Penn township," to extend the time of appraising the improvement on school lands in said township, and reporting the result to the Superintendent of Public Instruction.

Leave of absence was granted to Mr. Beaufait for five days.

On motion, the House adjourned.

Tuesday, March 6.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Comstock.

The roll having been called,

Leave of absence was granted to Mr. Lane, for one day.

Petitions presented: By Mr. Gidley, in relation to the safety funds banks; referred to a select committee heretofore appointed by the Chair. By Mr. Gidley, for a state road; referred to the committee on roads and bridges. By Mr. Gidley, relative to the

division of the township of Napoleon ; referred to the committee on towns and counties. By Mr. J. Howard, for the relief of John Felin and William Cling ; referred to the committee on claims. By Mr. J. M. Howard, for an appropriation to equip the first company of the Michigan artillery ; referred to the committee on the militia.

Mr. Buckbee, from the committee on the judiciary, reported "A bill to amend an act entitled 'An act to incorporate the village of Ypsilanti,'" which was read the first and second times and laid on the table.

Mr. Buel, from the select committee of investigation, reported a part of the testimony taken upon the southern route, together with sundry petitions and papers, which were laid upon the table.

Mr. Buel, from the judiciary committee, to which was referred petitions relative to the abolishment of section eight of chapter forty-four of the revised statutes, reported adverse to the prayer of the petitioners, and asked to be discharged from the further consideration of the subject, which was accepted and the committee discharged ; also to which was referred a petition for aid to build a court-house, reported adverse to the prayer of the petitioners, which report was accepted and the committee discharged ; also to which was referred petitions relative to the sale of ardent spirits, reported adverse to the prayer of the petitioners, which was read and laid on the table to be printed.

[See Document No. 47.]

Mr. Crane, from the committee on towns and counties, reported "A bill to organize the town of Ridgeway," which was read the first and second times and laid on the table, (not to be printed:)

Mr. Montgomery, according to notice given and leave granted, introduced "A bill to amend an act entitled 'An act for the relief of the inhabitants of Penn township,'" which was read the first and second times and laid on the table.

The Chair announced a message from the Senate, in the words following :

Mr. SPEAKER—In pursuance of the rules of the Senate, I here-with transmit a preamble and resolution relative to furnishing this state with an adequate supply of United States laws and public documents, which have passed the Senate and in which the con-

currence of the House of Representatives is respectfully requested.

The above preamble and resolution, transmitted from the Senate, having been read the first and second times, was laid on the table, according to rule, for one day,

On motion of Mr. Butler, the rule was suspended, and said resolution was read the third time and passed.

Mr. Levake offered the following preamble and resolution, which was adopted :

Whereas, it is reported that one Thomas J. Sutherland and —— Spencer, citizens of the United States, while within the limits of this state, were seized upon by armed men and forcibly taken to her British Majesty's province of Upper Canada, and there confined and forcibly detained in prison ; therefore,

Resolved, That the select committee to whom was referred sundry resolutions passed in the Parliament of Upper Canada, be instructed to inquire into and report to this House, as soon as convenient, the facts touching the above allegations, and that they have power to send for persons and papers.

On motion of Mr. Cook, the enacting clause of the militia bill was referred to the committee on the militia.

The House then proceeded to the special order of the day, viz : the consideration of bill sixty-nine, "To establish in part the location of the state southern railroad." Mr. Cook moved that the testimony taken upon the eastern end of the southern route be read, which was decided in the affirmative, which having been done in part, the House adjourned.

AFTERNOON SESSION.

The House met pursuant to adjournment.

The roll having been called, the House resumed the special order of the day, and the testimony having been partly read, on motion of Mr. J. M. Howard, the further reading of the testimony was postponed.

The House then resolved itself into committee of the whole, Mr. King in the chair, upon bill sixty-nine, to locate in part the southern railroad, and after some time spent therein, the committee rose, and through their chairman reported the same to the House, without amendment.

On motion of Mr. McClelland, the special order was laid upon the table until to-morrow morning.

On motion, the House resolved itself into committee of the whole, Mr. Ball in the chair, upon bill sixty-five, making judgments liens on real estate ; after some time spent thereon, the committee rose, and through their chairman, reported the same to the House, and said bill was referred to the committee on the judiciary.

Mr. Henry Smith, from the committee on the militia, who were by resolution instructed to inquire into the expediency of making an appropriation to defray the expenses of calling out the militia upon a recent occasion, reported "A bill making appropriation to defray the expenses of the militia and for repairing the state arms," which was read the first and second times and laid on the table.

The House then resolved itself into a committee of the whole, Mr. Gidley in the chair, upon bill fifty-eight, "To amend an act suspending for a limited time certain provisions of the law, and for other purposes," and after some time spent thereon, the committee rose, and through their chairman, reported the same to the House : said bill was then laid upon the table.

The House then resolved itself into committee of the whole, Mr. Crane in the chair, upon a bill from the Senate, to lay out and establish a certain state road, together with the amendments made thereto by the committee on roads and bridges, and after some time spent thereon, the committee rose, and through their chairman, reported the same to the House with an amendment, which was concurred in.

Said bill was then ordered to be engrossed for a third reading.

The rule being suspended, the engrossed bill entitled as above, was taken up, read the third time and passed.

The House then resolved itself into a committee of the whole, Mr. Champlin in the chair, upon bill number fifty, to amend an act entitled an act to amend an act to organize and regulate banking associations, and for other purposes and to suspend the operation of the same ; and after some time spent thereon, the committee rose, and through their chairman, reported the same to the House without amendment.

Said bill was then laid upon the table and made the special order of the day for Monday next.

Mr. McClelland presented a petition relative to a division of the town of Summerfield; referred to the committee on towns and counties.

Mr. Butler presented a petition for a road from Palmer to intersect the Gratiot turnpike; referred to the committee on roads and bridges.

On motion, the House adjourned:

Wednesday, March 7:

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Comstock.

The roll having been called, there were absent, Messrs. J. Howard, Lane.

Petitions presented: By Mr. Crane, for a state road. By Mr. Champlin, for a state road; referred to the committee on roads and bridges.

Mr. McClelland, from the select committee to which was referred a bill from the Senate "to authorize Hosmer Graham to keep a ferry between Gibraltar and Malden," reported the same to the House with sundry amendments, which was laid on the table.

The House than took up the special order of the day, yesterday laid on the table, viz: the consideration of the bill to locate in part the state southern railroad, the question being "should the bill be engrossed for a third reading," pending which motion the House adjourned.

AFTERNOON SESSION.

The House met pursuant to adjournment.

The roll having been called, the unfinished business of the morning was taken up, viz: the consideration of the question, "should the bill be ordered to a third reading," pending which motion the House adjourned.

Thursday, March 8.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Comstock.

The roll having been called,

Leave of absence was asked for Mr. Pray, for one day.

The proceedings of yesterday having been read,

The following petitions were presented: By Mr. Draper, for the organization of a town; referred to the committee on towns and counties. By Mr. Risdon, for the incorporation of the Brest and St. Joseph canal and river navigation company; referred to the committee on incorporations. By Mr. Wakefield, by Mr. Gidley, and Mr. Kent, in relation to the safety fund banks, which were referred to a select committee heretofore appointed by the Chair. By Mr. Crane, for a canal from Howell to Lyons; referred to the committee on internal improvements.

Mr. Buel, from the select committee of investigation, reported upon the western end of the route, accompanied by "A bill further to establish the location of the state southern railroad," together with the testimony taken upon that portion of the route, which were laid on the table, after the reading of the bill the first and second times; and the report was, on motion of Mr. Gantt, ordered to be printed.

Mr. Henry Smith, from the committee on the militia, to which was referred the enacting clause of the militia bill, reported a substitute, entitled "A bill to amend an act to organize the militia," which was read the first and second times and laid on the table.

Mr. Decker, according to notice given and ^{be granted}, introduced "A bill to amend an act entitled ¹⁸² 'act for the regulation of internal improvements, and for other purposes,' which was read the first and second times; referred to the committee on the judiciary.

Mr. Ball offered the following resolution, which was laid on the table.

Resolved, That the clerk be directed to procure a thermometer, to be put up in this hall, that the same may be kept at a healthy temperature.

The Chair announced a message from the Senate, in the words following :

Mr. SPEAKER—In pursuance of the rules of the Senate, I here-with transmit a bill which has passed the Senate, entitled “A bill relative to witnesses and evidence,” and in which the con-currence of the House of Representatives is respectfully request-ed.

The above bill transmitted from the Senate, was read the first and second times, and referred to the committee on the judi-ciary.

The Chair announced a statement from the Goodrich bank which was laid on the table to be printed.

The House then resumed the special order of the day, viz: the consideration of the bill to locate in part the state southern rail-road, and the question was again put “should the bill be ordered to a third reading,” it was decided by yeas and nays, in the nega-tive, as follows :

YEAS.

Mr. Burke,	Mr. Lacey,	Mr. H. Smith,
Mr. Buel,	Mr. Lane,	Mr. Spafford,
Mr. Champlin,	Mr. Levake,	Mr. Sheldon,
Mr. Cook,	Mr. Moran,	Mr. J. R. Smith,
Mr. Dorsey,	Mr. Montgomery,	Mr. Vickery,
Mr. Doty,	Mr. Odell,	Mr. Williams,
Mr. Kellogg,	Mr. Risdon,	

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NAYS.

Mr. Adams,	Mr. Draper,	Mr. Lancaster,
Mr. Ball,	Mr. Goodman,	Mr. McClelland,
Mr. Bement,	Mr. Gidley,	Mr. Payne,
Mr. Beaufait,	Mr. Gantt,	Mr. Poucher,
Mr. Butler,	Mr. J. M. Howard,	Mr. Thompson,
Mr. Buckbee,	Mr. J. Ward,	Mr. Wakefield,
Mr. Crane,	Mr. Hotchkiss,	Mr. Wixom,
Mr. Charter,	Mr. Kent,	Mr. Wadham,
Mr. Decker,	Mr. King,	Mr. Speaker,

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Adjourned.

AFTERNOON SESSION.

The House met pursuant to adjournment.

The roll being called,

The Chair announced a message from the Senate, in the words following :

Mr. SPEAKER—In pursuance of the rules of the Senate, I herewith return without amendment, the bills from the House of Representatives, entitled “A bill to incorporate the village of Grand Rapids,” “A bill to amend an act entitled ‘An act to incorporate the village of Pontiac,’ ” and “A bill to amend an act entitled ‘An act to organize the counties of Ionia and Van Buren,’ approved March 18, 1837,” and the joint resolution relative to certain donations of land by congress. I also herewith transmit a bill which has passed the Senate, entitled “A bill to amend the several acts to organize the militia,” in which the concurrence of the House of Representatives is respectfully requested.

The bill transmitted from the Senate, entitled as above, was read the first and second times, and referred to the committee on the militia.

The Chair announced a communication from the Executive, relative to a loan to the university, which having been read, was referred to the committee on education.

The Chair announced a message from the Senate, in the words following :

Mr. SPEAKER—In pursuance of the rules of the Senate, I herewith transmit bills, which have passed the Senate, entitled “A bill to authorize the supervisors of the county of Washtenaw to borrow a sum of money to build a jail,” “A bill to authorize the loan of a certain sum of money to Bethuel Farrand, to aid in the manufacture of silk,” and “A bill to authorize the president and trustees of the village of New Buffalo to borrow a certain sum of money,” in which the concurrence of the House of Representatives is respectfully requested. I also herewith return without amendment, the bill from the House of Representatives, entitled “A bill to amend an act entitled ‘An act to amend an act entitled ‘An act to incorporate the mechanics’ society of the city of Detroit,’ ” and “A bill to encourage the manufacture of sugar from the beet.”

The bills transmitted from the Senate, entitled as above, were severally read the first and second times, and referred to the committee on the judiciary.

On motion of Mr. Cook, the special order of the day, viz: the consideration of the apportionment bill, was laid on the table.

On motion of Mr. Butler, bill sixty-seven, "To encourage the manufacture of glass within the state of Michigan," was made the special order of the day for Tuesday next.

The House then resolved itself into a committee of the whole, Mr. Wixom in the chair, upon bill number eighty, "To amend an act to organize the militia," and after some time spent thereon, the committee rose, and through their chairman, reported the same to the House with sundry amendments, which were concurred in.

Mr. McClelland moved further to amend by adding the following to stand as section twenty-four: "That so much of section thirteen of the act to organize the militia, as requires the militia to rendezvous, by companies, in their respective beats one day in the month of May, in every year, be and the same is hereby repealed," which was decided in the affirmative.

Mr. Cook moved to amend section two by inserting after the word "regiment," the words "to be elected by the commissioned officers of their respective beats," which was decided by yeas and nays, in the negative, as follows:

YEAS.

Mr. Burke,	Mr. J. M. Howard,	Mr. Odell,
Mr. Butler,	Mr. Lane,	Mr. Sheldon,
Mr. Cook,	Mr. Lacy,	Mr. J. R. Smith,
Mr. Goodman,	Mr. Lancaster,	Mr. Thompson,
Mr. Gant,	Mr. McClelland,	

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NAYS.

Mr. Adams,	Mr. Hotchkiss,	Mr. Poucher,
Mr. Buckbee,	Mr. Kellogg,	Mr. H. Smith,
Mr. Champlin,	Mr. Kent,	Mr. Wakefield,
Mr. Decker,	Mr. King,	Mr. Wixom,
Mr. Gidley,	Mr. Montgomery,	Mr. Speaker,
Mr. J. Howard,		

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Mr. Cook moved to strike out section ten, which was negatived.

On motion of Mr. Montgomery, section third was amended by striking out the words "nearest newspaper," and inserting the words "three of the most public places within such beat."

On motion of Mr. J. M. Howard, said section was further

amended by striking out "due," in line five, and inserting "three days."

On motion of Mr. McClelland,

Resolved, That a committee of five be appointed to examine into the right of the state of Michigan, to what is usually denominated the "disputed territory," and to report to the House as soon as practicable what measure should be adopted by the legislature in regard to the same.

Whereupon the Chair announced Messrs. McClelland, J. M. Howard, Gant, Butler, and Lancaster, as said committee.

On motion, the House adjourned.

Friday, March 9.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Comstock.

The roll having been called, there were absent, Messrs. Bement, Doty, Kellogg and Payne.

The proceedings of yesterday having been read,

Leave of absence was granted to Messrs. Bement and Kellogg for one day, and to Mr. Doty until Monday next.

Petitions presented : By Mr. J. R. Smith, for an act of incorporation ; referred to the committee on the judiciary. By Mr. Crane, for a canal from Howell to Lyons ; referred to the committee on internal improvements. By Mr. Lancaster, for the organization of a town ; referred to the committee on towns and counties. By Mr. Risdon and Mr. McClelland, relative to the safety fund banks ; referred to the committee heretofore appointed by the Chair upon that subject. By Mr. Moran, relative to the incidental expenses of the general court martial ; referred to the committee on claims.

The engrossed bill for the relief of the Pontiac and Shelby railroad company, from the Senate, was taken up, read the third time and passed.

Mr. Crane, from the committee on towns and counties, reported "A bill to organize certain townships," which was read the first and second times and laid upon the table.

Mr. Buckbee, from the committee on the judiciary, reported "A

bill regulating the sale of real estate of persons deceased, in certain cases; read the first and second times and laid on the table.

Mr. Lancaster, from the committee on enrolment, reported as correctly enrolled "An act to incorporate the village of Romeo;" also "An act to encourage the publication of the history of Michigan and the gazetteer of Michigan, and to subscribe for three hundred copies of each;" also "An act to amend an act entitled 'An act to incorporate the village of Pontiac,' and "An act to incorporate the village of Utica."

Mr. McClelland, from the committee on the revised code, who were instructed to examine so much of the revised statutes as relates to the sale of real estate of deceased persons, reported that the sale of such lands is by the revised code required to be held at public auction only.

Mr. Gidley, from the committee on internal improvement, reported a bill authorizing a loan of one hundred thousand dollars for the relief of the Allegan and Marshall railroad company, which was read the first and second times and laid on the table.

On motion of Mr. Wakefield, the appropriation bill was made the special order of the day for Wednesday next.

On motion, the special order of to-day was laid on the table.

The House then resolved itself into a committee of the whole, Mr. Butler in the chair, upon "A bill to organize certain townships," and "A bill to organize the township of Ridgeway," and after some time spent therein, the committee rose, and through their chairman reported the same to the House with an amendment, which was concurred in; said bills were then ordered to be engrossed for a third reading.

The rule being suspended, the engrossed bills entitled as above, were read the third time and passed.

Mr. J. M. Howard, upon leave granted by two-thirds of the members present, introduced "A bill to amend an act entitled 'An act to incorporate the mechanics' society of the city of Detroit,'" which was read the first and second times, and on motion of Mr. McClelland, the rule was suspended, and said bill was read the third time and passed.

Bill number seventy-one, entitled "A bill in addition to and amendatory of an act entitled "An act for the filing and recording of

wills proven without the territory, and for taking affidavits in writing for the probate of wills in certain cases," was taken up, read the third time and passed."

The House then took up the bill relative to firemen, with the amendments made thereto by the Senate, which were severally concurred in, and the bill as amended, was read the third time and passed.

The House then took up a bill from the Senate, "To authorize Hosmer Graham to keep a ferry between Gibraltar and Malden," with the amendments made thereto by the select committee, which were severally concurred in, and said bill as amended, was read the third time and passed.

The House then resolved itself into committee of the whole, upon the apportionment bill, the special order of the day, Mr. Gidley in the chair, and after some time spent thereon, the committee rose, and through their chairman, reported progress, asked and obtained leave to sit again.

The following message was received from the Executive, through C. C. Jackson, Esq., his private secretary :

To the House of Representatives :

I have this day approved and filed in the office of the Secretary of State, the following acts, viz : "An act to incorporate the village of Utica," "An act to amend an act entitled 'An act to incorporate the village of Pontiac,'" "An act to encourage the publication of the history of Michigan and the gazetteer of Michigan, and to subscribe for three hundred copies of each," "An act to lay out and establish certain state roads," "An act to incorporate the village of Romeo," and "An act for the relief of the township of Shelby in the county of Macomb, and for other purposes."

STEVENS T. MASON.

March 9, 1838.

On motion, the House adjourned.

AFTERNOON SESSION.

The House met pursuant to adjournment.

The roll having been called,

On motion of Mr. Crane, the special order of the day was laid upon the table.

The Chair announced a message from the Senate, in the words following:

Mr. SPEAKER—In pursuance of the rules of the Senate, I herewith return the bill from the House of Representatives, entitled “A bill to authorize the State Treasurer to receive certain bank bills for state taxes,” with certain amendments made thereto by the Senate; I also herewith transmit bills, which have passed the Senate, entitled “A bill to amend an act entitled ‘An act to incorporate the village of Niles,’ and the several acts amendatory thereof,” and “A bill to amend an act entitled ‘An act to incorporate the St. Clair and Romeo railroad company,’ ” in which bills and amendments the concurrence of the House of Representatives is respectfully requested.

The bills returned from the Senate, entitled as above, were laid on the table, together with the amendments.

The bill transmitted from the Senate, entitled “A bill to amend an act entitled ‘An act to incorporate the St. Clair and Romeo railroad company,’ ” having been read the first and second times, was referred to the committee on internal improvements, and the “Bill to amend an act entitled ‘An act to incorporate the village of Niles,’ and the several acts amendatory thereof,” was read the first and second times, and referred to the committee on banks and incorporations.

Mr. Ball presented a petition for a state road; referred to the committee on roads and bridges.

The House then took up the engrossed bill “to incorporate the Gibraltar and Flat Rock company,” for third reading.

Mr. Crane moved to amend section seven, by striking out all after the word “company,” in line three, which was decided, by yeas and nays, in the affirmative, as follows:

YEAS.

Mr. Adams,	Mr. Gant,	Mr. Odell,
Mr. Ball,	Mr. J. M. Howard,	Mr. Poucher,
Mr. Burke,	Mr. Hotchkiss,	Mr. H. Smith,
Mr. Buel,	Mr. Kent,	Mr. Thompson,
Mr. Cook,	Mr. King,	Mr. Vickery,
Mr. Crane,	Mr. Lacey,	Mr. Wakefield,
Mr. Dörsey,	Mr. Lane,	Mr. Wixom,
Mr. Decker,	Mr. Lancaster,	Mr. Speaker,
Mr. Goodman,	Mr. McClelland,	26

NAYS.

Mr. Buckbee,	Mr. Gidley,	Mr. Payne,	
Mr. Champlin,	Mr. J. Howard,	Mr. Risdon,	6

The bill then passed, by yeas and nays, as follows :

YEAS.

Mr. Adams,	Mr. Gidley,	Mr. Odell,
Mr. Ball,	Mr. Gantt,	Mr. Pray,
Mr. Burke,	Mr. J. M. Howard,	Mr. Payne,
Mr. Buel,	Mr. J. Howard,	Mr. Poucher,
Mr. Buckbee,	Mr. Hotchkiss,	Mr. Risdon,
Mr. Champlin,	Mr. Kent,	Mr. H. Smith,
Mr. Cook,	Mr. King,	Mr. Sheldon,
Mr. Crane,	Mr. Lacey,	Mr. Thompson,
Mr. Dorsey,	Mr. Lane,	Mr. Vickery,
Mr. Decker,	Mr. Lancaster,	Mr. Wixom,
Mr. Goodman,	Mr. McClelland,	

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NAYS.

Mr. Wakefield,	Mr. Speaker,	2
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The engrossed bill to amend an act to organize the militia, was taken up for a third reading.

On motion of Mr. Henry Smith, section two was amended by striking out in line four the words "lieutenant colonel and major," and section four, by adding the following, viz : "the colonel of such regiment shall order the company officers elected, to assemble at such time and place as he shall designate so soon as possible after their election and then and there proceed to elect a lieutenant colonel and a major to said regiment," also to section seven by striking out the words "after the passage of this act," and inserting "as soon as successors are appointed," also to add the following to stand as section twenty-four :

"Sec. 24. All independent companies which have not, at the passage of this act, twenty-five rank and file, and have not uniformed and equipped themselves, agreeably to law, be and they are hereby disbanded."

On motion of Mr. Cook, section five was amended by striking out in line one, the word "company."

On motion of Mr. Risdon, section ten was amended by adding the following proviso : "Provided, That bounds of regiments and companies shall conform to the lines of counties and townships

as far as may be practicable ;" said bill as amended was then read the third time and passed.

The House then resumed, in committee of the whole, the consideration of bill number fifty-six, "to incorporate the village of Kalamazoo," Mr. Henry Smith in the chair, and after some time spent thereon, the committee rose, and through their chairman reported the same to the House without amendment ; said bill was then ordered to be engrossed for a third reading. The rule being suspended, the engrossed bill entitled as above, was read the third time and passed.

The House then resolved itself into a committee of the whole, Mr. Adams in the chair, upon bill number sixty-one, "to organize the county of Ingham," and after some time spent thereon, the committee rose, and through their chairman reported progress and asked and obtained leave to sit again.

The House then resolved itself into a committee of the whole, Mr. Buckbee in the chair, upon bill number seventy, entitled "A bill for the encouragement of agriculture and manufactures in the state of Michigan," and after some time spent thereon, the committee rose and through their chairman reported the same to the House without amendment, and said bill was referred to the committee on agriculture and manufactures.

The House then resolved itself into a committee of the whole, Mr. Lancaster in the chair, upon bill seventy-four, "to authorize the erection of certain dams therein named," and after some time spent therein, the committee rose, and through their chairman reported the same to the House with sundry amendments, which were concurred in, except the amendment to section four, viz : to strike out in line seven, the word "third" and insert "twelve," and add to the section the words "in the jail of the county where the offence is committed or in the state penitentiary," which was non-concurred in, by yeas and nays, as follows :

YEAS.

Mr. Adams,

Mr. Burke,

Mr. Butler,

Mr. Goodman,

Mr. J. Howard,

Mr. Hotchkiss,

Mr. Lacy,

Mr. Lane,

Mr. Odell,

NAYS.

Mr. Ball,	Mr. Gantt,	Mr. Risdon,
Mr. Buel,	Mr. J. M. Howard,	Mr. Spafford,
Mr. Buckbee,	Mr. King,	Mr. Sheldon,
Mr. Champhin,	Mr. Lancaster,	Mr. J. R. Smith,
Mr. Cook,	Mr. McClelland,	Mr. Thompson,
Mr. Crane,	Mr. Moran,	Mr. Vickery,
Mr. Dorsey,	Mr. Pray,	Mr. Wakefield,
Mr. Decker,	Mr. Payne,	Mr. Wixom,
Mr. Gidley,	Mr. Poucher,	Mr. Speaker, 27

Said bill was then ordered to be engrossed for a third reading; the rule being suspended, the engrossed bill entitled as above, was read the third time and passed.

The House then resolved itself into committee of the whole, Mr. Buel in the chair, upon bill seventy-three, entitled "A bill to amend chapter ninety-seven of part three of the revised code," and after some time spent therein, the committee rose, and through their chairman reported the same to the House with sundry amendments, which were concurred in; and said bill was then ordered to be engrossed for a third reading.

The rule being suspended, the engrossed bill entitled as above, was read the third time, and passed.

Mr. Butler gave notice that he should on some future day, ask leave to bring in a bill annexing sections twelve, thirteen, twenty-four, twenty-five, and thirty-six, in town number one north, of range number twelve east, to the town of Hickory, in the county of Macomb, and also to change the name of the town from "Hickory" to that of "Aba."

The House then adjourned until Monday morning at half-past nine o'clock.

Monday, March 12.

The House met pursuant to adjournment.

Prayer by the Right Rev. Bishop McCosky.

The roll having been called, there were absent Messrs. Bement, Buel, Buckbee, Goodman, McClelland, Poucher and Sheldon.

The proceedings of Friday having been read,

Leave of absence was granted to Mr. Bement, indefinitely, in

consequence of illness : also to Mr. Sheldon, indefinitely, in consequence of illness in his family ; also to Messrs. Buel, Goodman, and McClelland, for one day.

Petitions presented : By Mr. Ball, relative to a branch of the Clinton canal; referred to the committee on internal improvement, also in relation to the county seat of Ottawa. By Mr. Vickery, for the organization of a town. By Mr. Decker, for the organization of a town. By Mr. Gantt, relative to the division of the county of Oakland, which were severally referred to the committee on towns and counties. By Mr. Thompson, for a state road ; referred to the committee on roads and bridges. By Mr. Risdon, relative to the safety fund banks ; referred to the committee heretofore appointed by the Chair upon that subject. By Mr. J. M. Howard, from the first presbyterian society of the town of Troy, praying the legislature to legalize certain acts ; referred to the committee on the judiciary.

Mr. Henry Smith, from the committee on the militia, to which was referred a bill from the Senate entitled "A bill to amend the several acts to organize the militia," reported the same to the House without amendment, but he would not recommend its passage, as a bill with similar provisions had already passed the House ; said bill was laid upon the table.

Mr. Gidley, from the committee on agriculture and manufactures, to which was referred "A bill to encourage agriculture in the state of Michigan," reported the same to the House with amendments, agreeable to instructions ; said bill was laid on the table.

Mr. Moran presented a claim of Mr. J. B. Vallee, and Mr. Gantt presented a claim of Mr. S. L. Rood, which were referred to the committee on claims.

The special orders of Wednesday and Thursday last, not having been disposed of, were on motion laid upon the table.

The Chair announced a message from the Senate, in the words following :

Mr. SPEAKER—In pursuance of the rules of the Senate, I herewith return a bill entitled "A bill to organize certain townships, and for other purposes," with an amendment made thereto by the Senate ; I also herewith transmit a resolution relative to the elec-

tion of State Treasurer, which has passed the Senate, and in which amendment and resolution, the concurrence of the House of Representatives is respectfully requested.

The bill returned from the Senate, entitled as above, was taken up for consideration, and the amendment made by the Senate concurred in, and said bill as amended was read the third time and passed.

The resolution, above transmitted, was read the first and second times, and according to rule, laid on the table for one day.

The rule being suspended, said resolution was read the third time, and passed.

Mr. Kellogg gave notice that he should, at some future day, bring in a bill to legalize the Marshall county dam across the Kalamazoo, entitled "An act to legalize the erection and maintenance of the dam across the Kalamazoo river in the village of Marshall."

Mr. J. Howard, according to notice given and leave granted, introduced "A bill to incorporate the village of Dearbornville," which was read the first and second times, and referred to the committee on banks and incorporations.

The House, on motion of Mr. Payne, resolved itself into a committee of the whole, Mr. Butler in the chair, upon bill number fifty, "to amend an act entitled 'An act to amend an act to organize and regulate banking associations, and for other purposes,' and to suspend the operation of the same," which had been made the special order of to-day, and after some time spent thereon, the committee rose, and through their chairman reported the same to the House with an amendment, which was concurred in.

Mr. Ball then moved to strike out all after the enacting clause, pending which motion, the House adjourned.

AFTERNOON SESSION.

The House met pursuant to adjournment.

The roll having been called,

The Chair announced a message from the Senate, in the words following :

Mr. SPEAKER—In pursuance of the rules of the Senate, I here-with transmit bills which have passed the Senate, entitled "A bill in relation to supervisors," "A bill appointing commissioners to

lay out and establish certain state roads," and "A bill to attach a part of the county of Sanilac for judicial purposes, to the county of St. Clair, and for other purposes," in which bills the concurrence of the House of Representatives is respectfully requested.

The bill relative to supervisors, having been read the first and second times, was referred to the committee on the judiciary; and the bill appointing commissioners to lay out and establish certain state roads, was read the first and second times, and referred to the committee on roads and bridges; and the bill to attach a part of the county of Sanilac for judicial purposes to the county of St. Clair, and for other purposes, was read the first and second times and referred to the committee on towns and counties.

The Chair announced a statement from the Detroit city bank, and from the Farmers bank of Oakland, at Royal Oak, which were laid on the table to be printed.

The Chair also announced a communication from the Executive, relative to Thomas J. Sutherland, which was read and referred to a select committee heretofore appointed by the Chair.

The Chair also announced the following communication from the Executive.

To the Senate and House of Representatives:

In compliance with the request of his excellency the Governor of Kentucky, I herewith transmit sundry resolutions of the general assembly of that state, in relation to the currency.

STEVENS T. MASON.

March 12, 1838.

The resolutions above transmitted having been read, Mr. Wakefield, moved their reference to a select committee of five.

Mr. Lancaster moved to amend by referring them to the committee on Texian affairs.

Mr. Montgomery moved to amend the amendment by referring them to the committee on banks and incorporations.

Mr. J. M. Howard moved to lay the resolutions upon the table, which was decided in the affirmative.

The House then took up the unfinished business of the morning, viz: the consideration of "A bill to amend an act entitled 'An act to amend an act to organize and regulate banking associations,

and for other purposes, and to suspend the operations of the same," and the question being upon striking out all after the enacting clause, and some time having been spent in debate, Mr. Lancaster moved that the previous question be taken, which was decided, by yeas and nays, in the negative, as follows:

YEAS.

Mr. Adams,	Mr. Gantt,	Mr. Lancaster,
Mr. Burke,	Mr. J. Howard,	Mr. Levake,
Mr. Beaufait,	Mr. Hotchkiss,	Mr. Odell,
Mr. Champlin,	Mr. King,	Mr. Pray,
Mr. Dorsey,	Mr. Lacey,	Mr. H. Smith,
Mr. Draper,	Mr. Lane,	

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NAYS.

Mr. Ball,	Mr. J. M. Howard,	Mr. Risdon,
Mr. Butler,	Mr. Kellogg,	Mr. J. R. Smith,
Mr. Cook,	Mr. Kent,	Mr. Thompson,
Mr. Crane,	Mr. Moran,	Mr. Vickery,
Mr. Charter,	Mr. Montgomery,	Mr. Wadham,
Mr. Decker,	Mr. Payne,	Mr. Speaker,
Mr. Gidley,		

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The question recurring upon striking out, it was decided, by yeas and nays, in the negative, as follows:

YEAS.

Mr. Adams,	Mr. Charter,	Mr. Montgomery,
Mr. Ball,	Mr. Decker,	Mr. Pray,
Mr. Burke,	Mr. Gantt,	Mr. H. Smith,
Mr. Beaufait,	Mr. Kellogg,	Mr. Wakefield,
Mr. Butler,	Mr. Lacey,	Mr. Wadham,
Mr. Crane,	Mr. Lane,	Mr. Speaker,

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NAYS.

Mr. Buckbee,	Mr. Hotchkiss,	Mr. Payne,
Mr. Champlin,	Mr. Kent,	Mr. Risdon,
Mr. Dorsey,	Mr. King,	Mr. Spafford,
Mr. Draper,	Mr. Lancaster,	Mr. J. R. Smith,
Mr. Gidley,	Mr. Moran,	Mr. Thompson,
Mr. J. M. Howard,	Mr. Odell,	Mr. Vickery,
Mr. J. Howard,		

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On motion of Mr. Risdon, section one was amended, by striking out the words "thirty-seven, thirty-eight, thirty-nine, forty

and," in lines two and three; said bill was then ordered to be engrossed, by yeas and nays, as follows:

YEAS.

Mr. Adams,	Mr. J. M. Howard,	Mr. Odell,
Mr. Burke,	Mr. J. Howard,	Mr. Payne,
Mr. Buckbee,	Mr. Hotchkiss,	Mr. Poucher,
Mr. Champlin,	Mr. Kent,	Mr. Risdon,
Mr. Cook,	Mr. King,	Mr. Spafford,
Mr. Dorsey,	Mr. Lancaster,	Mr. J. R. Smith,
Mr. Draper,	Mr. Moran,	Mr. Thompson,
Mr. Gidley,	Mr. Montgomery,	Mr. Vickery. 24

NAYS.

Mr. Ball,	Mr. Decker,	Mr. Pray,
Mr. Beaufait,	Mr. Gantt,	Mr. H. Smith,
Mr. Butler,	Mr. Kellogg,	Mr. Wakefield,
Mr. Crane,	Mr. Lacey,	Mr. Wadham,
Mr. Charter,	Mr. Lane,	Mr. Speaker, 15

The Chair announced a communication from the reviser of the laws, transmitting chapter three of title eight of the revision of the laws, which was laid on the table and ordered to be printed.

Mr. Risdon gave notice that, at some future day, he should ask leave to bring in a bill to incorporate a company to construct a railroad from Ypsilanti, by way of Saline, to Tecumseh.

On motion, the House adjourned.

Tuesday, March 13.

The House met pursuant to adjournment.

Prayer by the Rt. Rev. Bishop McCosky.

The roll having been called,

The proceedings of yesterday were read.

The following petitions were presented: by Messrs Risdon and Wakefield, relative to the safety fund banks; referred to the select committee heretofore appointed by the Chair.

The Chair presented a claim of sundry inhabitants of the county of Lenawee. Mr. Gidley presented the claim of Stephen Vickery. Mr. Buel presented a claim of the city of Detroit; referred to the committee on claims.

Mr. Buel, from the committee on the judiciary, to which was referred a bill from the Senate, relative to witnesses and evidence, reported the same to the House without amendment ; also reported the bill from the Senate, "to authorize the president and directors of the village of New Buffalo to borrow a certain sum of money," without amendment ; also reported back to the House a bill from the Senate, "to authorize the supervisors of the county of Washtenaw to borrow a sum of money to build a jail," without amendments ; also reported the bill from the Senate, "to authorize a loan of a certain sum of money to Bethuel Farrand to aid in the manufacturing of silk," with sundry amendments ; also reported back to the House, the bill making judgments liens on real estate, with sundry amendments, which bills were, together with the amendments, laid on the table ; [also to which was referred a bill relative to the appointment of collectors of tolls and prescribing their duties, reported a substitute, which was read the first and second times and laid on the table.

Mr. Risdon, from the committee on roads and bridges, to which was referred "A bill appointing commissioners to lay out and establish certain state roads," from the Senate, reported the same to the House without amendment ; said bill was then laid on the table.

Mr. Gantt offered the following resolution :

Resolved, That all the various committees of this House be and they are hereby required to bring to a close all the business before them respectively, and report to this House by Saturday next, after which day they shall not be required to report any further business for the action of this House during the present session.

Mr. Ball moved to amend by striking out all after the word "next," in line five.

On motion of Mr. Crane, said resolution was laid on the table.

Mr. Gantt offered the following resolution, and the question being upon its adoption, it was decided in the negative.

Resolved, That the chairman of the select committee to whom was referred the petitions from banks under the general banking law, be and he is hereby instructed to call a meeting of the said

committee, and report the result of their deliberations to this House on Thursday next.

On motion of Mr. Risdon,

Resolved, That the judiciary committee be instructed to enquire into the expediency of granting relief to the several township collectors by allowing them a per centage on non-resident taxes, and that they report by bill or otherwise.

The bill "to encourage the manufacture of glass within the state of Michigan," being the special order of the day, Mr. Gantt moved to lay it on the table, which was negatived.

The House then resolved itself into committee of whole, Mr. Buel in the chair, upon said bill, and after some time spent thereon, the committee rose, and through their chairman, reported the same to the House with an amendment which was concurred in, and said bill was then ordered to be engrossed for a third reading, by yeas and nays, as follows:

YEAS.

Mr. Adams,	Mr. Hotchkiss,	Mr. Montgomery,
Mr. Buel,	Mr. Kellogg,	Mr. Pray,
Mr. Butler,	Mr. Kent,	Mr. Poucher,
Mr. Buckbee,	Mr. King,	Mr. Risdon,
Mr. Dorsey,	Mr. Lane,	Mr. H. Smith,
Mr. Doty,	Mr. Lancaster,	Mr. Spafford,
Mr. Gidley,	Mr. Levake,	Mr. Williams,
Mr. Gant,		

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NAYS.

Mr. Ball,	Mr. Decker,	Mr. J. R. Smith,
Mr. Beaufait,	Mr. Draper,	Mr. Thompson,
Mr. Champlin,	Mr. J. M. Howard,	Mr. Wakefield,
Mr. Cook,	Mr. Lacey,	Mr. Wixom,
Mr. Crane,	Mr. McClelland,	Mr. Williams,
Mr. Charter,	Mr. Odell,	Mr. Speaker,

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The following message was received from the Executive, through C. C. Jackson, Esq. his private secretary :

To the House of Representatives :

I have this day approved and filed in the office of the Secretary of State, "An act to amend an act entitled 'An act to organize

the counties of Ionia and Van Buren, approved March 18, A. D. eighteen hundred and thirty-seven."

STEVENS T. MASON.

March 13, 1838.

The House then resumed in committee of the whole, Mr. J. R. Smith in chair, the consideration of bill number twelve, "to incorporate the Michigan college," and after some time spent thereon, the committee rose, and through their chairman reported progress, and asked and obtained leave to sit again.

The Chair announced that the time had arrived in accordance with the provision of a resolution yesterday adopted, for the meeting of both branches of the legislature, to proceed to the election of a State Treasurer.

On motion of Mr. Buel, a committee of two was appointed to wait upon the Senate and inform them that the House was ready to meet them in the hall of the House of Representatives.

JOINT ASSEMBLY.

The Senate having been conducted to seats, the President of the Senate announced the object of the convention to be for the election of a State Treasurer, when Mr. McDonell, of the Senate, nominated Mr. Henry Howard for State Treasurer; and Mr. Butler of the House nominated for the same office Mr. Thomas Rowland, and the several rolls having been called, the vote stood as follows:

MEMBERS OF THE SENATE—*For Henry Howard.*

Mr. Barry,	Mr. Cook,	Mr. McDonell,
Mr. Bartow,	Mr. Cooper,	Mr. McKey,
Mr. Bradford,	Mr. Curtis,	Mr. Moore,
Mr. Clark,	Mr. Kercheval,	Mr. Summers,
Mr. Comstock,	Mr. Kingsley,	Mr. Wing,

MEMBERS OF THE HOUSE—*For Henry Howard.*

Mr. Adams,	Mr. Doty,	Mr. Pray,
Mr. Ball,	Mr. Decker,	Mr. Poucher,
Mr. Burke,	Mr. Gantt,	Mr. Risdon,
Mr. Buel,	Mr. Kent,	Mr. H. Smith,
Mr. Beaufait,	Mr. King,	Mr. Wakefield,
Mr. Buckbee,	Mr. Lancaster,	Mr. Wixom,
Mr. Crane,	Mr. Levake,	Mr. Wadham,
Mr. Charter,	Mr. McClelland,	Mr. Speaker,
Mr. Dorsey,	Mr. Montgomery,	

MEMBERS OF THE HOUSE—*For Thomas Rowland.*

Mr. Butler,	Mr. J. M. Howard,	Mr. Odell,
Mr. Champlin,	Mr. J. Howard,	Mr. Spafford,
Mr. Cook,	Mr. Hotchkiss,	Mr. J. R. Smith,
Mr. Draper,	Mr. Kellogg,	Mr. Thompson,
Mr. Goodman,	Mr. Lacey,	Mr. Vickery,
Mr. Gidley,	Mr. Lane,	Mr. Williams, 18

Henry Howard having received forty one votes of the joint convention of both branches of the legislature, and Thomas Rowland having received eighteen votes, Henry Howard was therefore declared duly elected State Treasurer, for the ensuing two years.

HOUSE OF REPRESENTATIVES.

On motion of Mr. Barry, the convention then adjourned.

Mr. Lancaster, from the committee on enrolment, reported as correctly enrolled "An act to encourage the manufacture of sugar from the beet," and "An act to organize certain townships, and for other purposes."

On motion, the House adjourned.

AFTERNOON SESSION.

The House met pursuant to adjournment.

The roll having been called,

The Chair announced a message from the Senate, in the words following :

Mr. SPEAKER—In pursuance of the rules of the Senate, I here-with return the bill entitled "A bill releasing to the United States fourteen sections on the Niles, and sections twenty-five and thirty-six on the Noitawassepe reserves, upon certain conditions," with sundry amendments made thereto by the Senate. I also herewith transmit a resolution, which has passed the Senate, entitled "A resolution to provide for the improvement of the river Rouge, and the north branch thereof," in which resolution and amendments to the above bill, the concurrence of the House of Representa-tives is respectfully requested.

The bill returned from the Senate, entitled as above, was taken up for consideration and the amendments severally concurred in, and the bill as amended then passed.

The resolution was read the first and second times, and laid on the table, according to rule, for one day.

The House then resumed in committee of the whole, Mr. J. R.

Smith in the chair, the consideration of the bill "to incorporate the Michigan college," and after some time spent thereon, the committee rose, and through their chairman, reported the same to the House with sundry amendments, which were concurred in.

Mr. Wakefield moved to amend said bill by adding the following to stand as section eleven, viz:

"Sec. 11. The legislature shall have power at any time to alter, amend or repeal this act or any part thereof."

Mr. J. M. Howard, moved to amend the amendment, by adding the words "by and with the consent of the corporation," which was negative, and the question recurring upon the amendment, it was decided by yeas and nays, in the affirmative, as follows :

YEAS.

Mr. Adams,	Mr. Dorsey,	Mr. Pray,
Mr. Ball,	Mr. Doty,	Mr. Payne,
Mr. Burke,	Mr. Decker,	Mr. Poucher,
Mr. Buel,	Mr. Kent,	Mr. Risdon,
Mr. Beaufait,	Mr. Lacey,	Mr. H. Smith,
Mr. Butler,	Mr. Lancaster,	Mr. Wakefield,
Mr. Buckbee,	Mr. Moran,	Mr. Williams,
Mr. Crane,	Mr. Montgomery,	Mr. Wadhams,
Mr. Charter,	Mr. Odell,	Mr. Speaker, 27

NAYS.

Mr. Goodman,	Mr. Hotchkiss,	Mr. Spafford,
Mr. Gidley,	Mr. Kellogg,	Mr. J. R. Smith,
Mr. Gant,	Mr. King,	Mr. Thompson,
Mr. J. M. Howard,	Mr. Lane,	Mr. Vickery,
Mr. J. Howard,		13

The question being upon the engrossment of the bill for a third reading, Mr. J. R. Smith called for the previous question, when the question being, "shall the main question be now put," it was decided in the affirmative, and the question on the engrossment of the bill for a third reading, was decided, by yeas and nays, in the affirmative, as follows:

YEAS.

Mr. Burke,	Mr. Hotchkiss,	Mr. Risdon,
Mr. Butler,	Mr. Kellogg,	Mr. Spafford,
Mr. Champlin,	Mr. King,	Mr. J. R. Smith,
Mr. Goodman,	Mr. Lacey,	Mr. Thompson,
Mr. Gidley,	Mr. Lane,	Mr. Vickery,

Mr. Gantt,	Mr. Odell,	Mr. Williams,
Mr. J. M. Howard,	Mr. Payne,	Mr. Speaker,
Mr. J. Howard,		

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NAYS.

Mr. Adams,	Mr. Dorsey,	Mr. Montgomery,
Mr. Ball,	Mr. Doty,	Mr. Pray,
Mr. Buel,	Mr. Decker,	Mr. H. Smith,
Mr. Beaufait,	Mr. Kent,	Mr. Wakefield,
Mr. Buckbee,	Mr. Lancaster,	Mr. Wixom,
Mr. Crane,	Mr. Moran,	Mr. Wadham,
Mr. Charter,		

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The House then resolved itself into a committee of the whole, Mr. Doty in the chair, upon a bill "to encourage agriculture in the state of Michigan," with the amendments made thereto by the committee on agriculture and manufactures, and after some time spent therein, the committee rose, and through their chairman reported the same to the House with sundry amendments, which were concurred in.

On motion of Mr. J. Howard, section six was amended by inserting after the word "Stevens," the name of H. R. Snelling.

On motion of Mr. McClelland, said bill was further amended by striking out the words "be it further enacted," in all sections except the first, and to add to the bill the words "the legislature may at any time alter, amend or repeal this act."

The question being upon its engrossment for a third reading, on motion of Mr. Wakefield, said bill was laid on the table.

Mr. Spafford, according to notice given and leave granted, introduced a bill to incorporate the Tecumseh academy, which was read the first and second times and referred to the committee on education.

Mr. Risdon, according to notice given and leave granted, introduced a bill to incorporate the Ypsilanti and Tecumseh railroad company, which was read the first and second times, and referred to the committee on banks and incorporations.

On motion of Mr. Lacey,

Resolved, That the bill to establish the location of the state southern railroad, be made the order of the day for Friday next.

Mr. Henry Smith offered the following resolution, which was laid on the table.

Resolved, That hereafter the hour of meeting in the morning be nine o'clock, and in the afternoon at two o'clock.

Mr. Spafford gave notice that at some future day he should ask leave to bring in a bill to amend an act entitled "An act to incorporate the village of Tecumseh."

On motion, the House adjourned.

Wednesday, March 14.

The House met pursuant to adjournment.

Prayer by the Rt. Rev. Bishop McCosky.

The roll having been called, and

The proceedings of yesterday having been read,

The following petitions were presented ; By Mr. J. M. Howard and Mr. Buel, relative to the building of a certain dam. By the Chair, for a state road. By Mr. Decker, for a state road ; referred to the committee on roads and bridges. By Mr. Wadham, for an alteration in the township of Cottrelville ; referred to the committee on towns and counties. By Mr. Dorsey, Mr. Gant, and Mr. Montgomery, relative to the safety fund banks ; referred to the select committee upon that subject.

Mr. Moran, from the committee on ways and means, reported a bill relative to the duties of county commissioners, and for other purposes, which was read the first and second times and laid on the table.

Mr. Crane, from the committee on towns and counties, to which was referred petitions and remonstrances to attach certain sections to the township of Hickory, reported adverse to the prayer of the petitioners and asked to be discharged from the further consideration of the subject, which report was accepted and the committee discharged.

Mr. Crane, from the committee on towns and counties, reported a bill "to organize certain townships, and for other purposes," which was read the first and second times and laid on the table.

Mr. Buel, from the committee on the judiciary, reported a bill to amend the constitution of the first presbyterian society of Detroit, which was read the first and second times and laid on the table.

Mr. Ball, from the committee on the judiciary, to which was referred a bill from the Senate in relation to supervisors, reported

the same to the House without amendment, and said bill was laid on the table.

Mr. Buel, from the committee on the judiciary, to which was referred a petition from the first presbyterian society of Troy, in the county of Oakland, relative to legalizing certain acts of said society, reported adverse to the prayer of said petitioners, which report was laid on the table.

Mr. J. M. Howard offered the following preamble and joint resolution, which having been read the first and second times, was laid on the table, according to rule, for one day.

Whereas, the President of the United States did, in his message to congress, at its special session in the month of September last, recommend the establishment of a system of sub-treasuries for the collection, custody and disbursement of the revenue and public moneys of the United States, and that all payments of debts and dues to the government thereof, should be required to be made in gold or silver coin ; and whereas, certain bills were introduced into the two houses of congress at its said session, for the purpose of establishing such system of sub-treasuries, which were at that time virtually rejected by the House of Representatives :

And whereas, the President of the United States did again, in his annual message to congress at its present session, recommend the establishment of said system of sub-treasuries, notwithstanding the virtual rejection of the same by the House of Representatives, and the general disapprobation of the people of the United States ; and whereas, a bill has recently been again introduced into the Senate of the United States, providing for the establishment of such system of sub-treasuries, and that all debts and dues to the government of the United States shall at a future but no distant day, be paid exclusively in gold or silver coin, or in treasury notes :

And whereas, in the opinion of this legislature, the establishment of such system of sub-treasuries would tend to endanger the security of the public money, by placing it in irresponsible and incompetent hands ; to impair the fidelity and integrity of public officers by imposing upon them excessive responsibilities and exposing them to unnecessary and dangerous temptations ; to extend unduly and beyond its constitutional limits the patronage, influ-

ence and power of the executive departments of the government ; and to subject the finances and treasury of the Union to the unlimited control of the President of the United States, already invested with the supreme command of the military force of the nation :

And whereas also, in the opinion of this legislature, to require the payment of all debts and dues to the government of the United States, to be made exclusively or mainly in gold or silver coin, would impose a grievous and unnecessary burden upon the people ; would withdraw from its appropriate use a large portion of the specie basis on which our present convertible paper currency rests, and thereby expose our citizens to great and numerous losses in the course of their business ; would tend to create two sorts of currency, a better sort for the use of the government, its officers and creditors, and a baser one for the people in their innumerable and daily, common and commercial transactions ; and would finally, if its principles were consistently carried out to its legitimate result, destroy the present system of credit and currency, which has heretofore contributed so much to the substantial wealth and prosperity of the country, and substitute in its stead an exclusive metallic currency, inadequate to the public wants, and unsuited to the habits and customs of the people and to the spirit and character of the age :

And whereas finally, it is the deliberate and solemn conviction of this legislature, as well from the result of recent popular elections as from the general tone of public sentiment and the public press, that a great majority of the people of the United States, uninfluenced by political connexion or party spirit, are sincerely opposed to the proposed system of sub-treasuries, to the exaction of gold and silver in payments to the government, and to the consequent destruction of our present systems of credit and currency ; and that they would view the accomplishment of such a result, as dangerous to their freedom and ruinous to their best interests ; therefore,

Be it resolved by the Senate and House of Representatives of the State of Michigan, That our senators in congress be instructed and our representative requested, to vote against any and all bills, designed or calculated to establish the system of sub-trea-

suries, or to require the payment of the debts and dues to the government of the United States, in whole or in part, exclusively in gold or silver coin ; and especially against a bill recently introduced into the Senate of the United States, entitled "A bill to impose additional duties, as depositaries, upon certain public officers to appoint receivers general of public money, and to regulate the safe keeping, transfer, and disbursements of the public officers of the United States."

Mr. Henry Smith, according to notice given and leave granted, introduced a bill for the relief of the River Raisin and Grand river railroad company, which was read the first and second times, and referred to the committee on internal improvement.

Mr. J. Howard gave notice that at some future day, he should ask leave to introduce a bill to create a board of commissioners of loans, and to regulate the deposite of the internal improvement fund.

The apportionment bill being the special order of the day, it was on motion, laid on the table.

The bill to incorporate the Clinton salt works company, heretofore laid on the table, was taken up and ordered to be engrossed for a third reading ; the rule being suspended, the engrossed bill entitled as above, was read the third time and passed, by yeas and nays; as follows :

YEAS.

Mr. Adams,	Mr. Ganitt,	Mr. Pray,
Mr. Ball,	Mr. J. M. Howard,	Mr. Payne,
Mr. Burke,	Mr. J. Howard,	Mr. Poucher,
Mr. Buel,	Mr. Kellogg,	Mr. Risdon,
Mr. Butler,	Mr. Kent,	Mr. Spafford,
Mr. Champlin,	Mr. King,	Mr. J. R. Smith,
Mr. Cook,	Mr. Lacy,	Mr. Thompson,
Mr. Charter,	Mr. Lane,	Mr. Vickery,
Mr. Doty,	Mr. Lancaster,	Mr. Wakefield,
Mr. Decker,	Mr. Levake,	Mr. Wixom,
Mr. Draper,	Mr. Montgomery,	Mr. Williams,
Mr. Goodman,	Mr. Odell,	Mr. Wadham,
Mr. Gidley,		

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NAYS.

Mr. Buckbee,	Mr. Crane,	Mr. Speaker,	3
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The House then took up for consideration a bill from the Senate, "to authorize a loan of a certain sum of money to Bethuel Farrand to aid in manufacturing silk," with the amendments made thereto by the judiciary committee, which were concurred in, except the one proposed in lines five and six, to strike out "five hundred dollars," and insert "one thousand dollars," which Mr. Cook moved to amend by inserting "eight hundred," which was decided, by yeas and nays, in the affirmative, as follows:

YEAS.

Mr. Adams,	Mr. Gidley,	Mr. Montgomery,
Mr. Buel,	Mr. J. M. Howard,	Mr. Pray,
Mr. Butler,	Mr. Kellogg,	Mr. Poucher,
Mr. Buckbee,	Mr. Kent,	Mr. Risdon,
Mr. Champlin,	Mr. King,	Mr. Spafford,
Mr. Cook,	Mr. Lane,	Mr. Wakefield,
Mr. Doty,	Mr. Lancaster,	Mr. Wadhams,
Mr. Draper,	Mr. Moran,	Mr. Speaker, 24

NAYS.

Mr. Ball,	Mr. Gantt,	Mr. H. Smith,
Mr. Burke,	Mr. Hotchkiss,	Mr. J. R. Smith,
Mr. Crane,	Mr. Lacey,	Mr. Thompson,
Mr. Charter,	Mr. McClelland,	Mr. Vickery,
Mr. Decker,	Mr. Odell,	Mr. Williams, 16

The bill as amended then passed, by yeas and nays, as follows :

YEAS.

Mr. Adams,	Mr. J. M. Howard,	Mr. Payne,
Mr. Buel,	Mr. Kellogg,	Mr. Poucher,
Mr. Butler,	Mr. Kent,	Mr. Risdon,
Mr. Buckbee,	Mr. King,	Mr. H. Smith,
Mr. Champlin,	Mr. Lane,	Mr. Spafford,
Mr. Cook,	Mr. Lancaster,	Mr. J. R. Smith,
Mr. Doty,	Mr. Moran,	Mr. Wixom,
Mr. Draper,	Mr. Montgomery,	Mr. Wadhams,
Mr. Gidley,	Mr. Pray,	25

NAYS.

Mr. Ball,	Mr. Gantt,	Mr. Thompson,
Mr. Burke,	Mr. J. Howard,	Mr. Vickery,
Mr. Crane,	Mr. Hotchkiss,	Mr. Wakefield,
Mr. Charter,	Mr. Lacey,	Mr. Williams,

Mr. Decker,	Mr. McClelland,	Mr. Speaker,
Mr. Goodman,	Mr. Odell,	17

Bill number fifty-seven "to authorize the State Treasurer to receive certain bank bills in payment for state taxes," with the amendments made thereto by the Senate, was taken up for consideration, and the amendments severally concurred in, and the bill as amended was then read the third time and passed.

The engrossed bill "to encourage the manufacture of glass within the state of Michigan," was taken up for a third reading, when, on motion of Mr. Crane, said bill was laid on the table.

The Chair announced the following communication from the Executive:

To the House of Representatives :

I herewith transmit a report of the quartermaster general, embracing the information required by a resolution of the House of Representatives, of the 29th of January.

STEVENS T. MASON.

March 14, 1838.

The report of the quartermaster general, transmitted by the Executive, was laid on the table.

The following message was received from the Executive, through C. C. Jackson, Esq., his private secretary :

To the House of Representatives :

I have this day approved and filed in the office of the Secretary of State, the following act, viz : "An act granting to Hosmer Graham the right to keep and maintain a ferry across the Detroit river."

STEVENS T. MASON.

March 14, 1838.

The engrossed bill, "to incorporate the Marshall college," was taken up for a third reading, and the question being upon the final passage of the bill,

Mr. J. Howard moved to amend section two, by inserting after the word "Calhoun," in line two, the words "or elsewhere in this state as determined by said trustees or a majority of them," which was decided in the negative ; the question recurring upon the passage of the bill, and requiring a vote of two-thirds, it was lost, by yeas and nays, as follows :

YEAS.

Mr. Burke,	Mr. J. M. Howard,	Mr. Payne,
Mr. Butler,	Mr. Hotchkiss,	Mr. Risdon,
Mr. Champlin,	Mr. Kellogg,	Mr. Spafford,
Mr. Cook,	Mr. King,	Mr. J. R. Smith,
Mr. Draper,	Mr. Lacey,	Mr. Thompson,
Mr. Goodman,	Mr. Lane,	Mr. Vickery,
Mr. Gidley,	Mr. Odell,	Mr. Speaker, 21

NAYS.

Mr. Adams,	Mr. Doty,	Mr. Pray,
Mr. Ball,	Mr. Decker,	Mr. Poucher,
Mr. Buel,	Mr. Kent,	Mr. H. Smith,
Mr. Buckbee,	Mr. Lancaster,	Mr. Wakefield,
Mr. Crane,	Mr. Levake,	Mr. Wixom,
Mr. Charter,	Mr. Moran,	Mr. Wadhams, 20
Mr. Dorsey,	Mr. Montgomery,	

On motion, the House adjourned.

AFTERNOON SESSION.

The House met pursuant to adjournment.

The roll having been called,

The Chair announced a message from the Senate in the words following:

Mr. SPEAKER—In pursuance of the rules of the Senate, I here-with transmit bills which have passed the Senate, entitled “A bill to amend an act entitled ‘An act to organize certain townships, and for other purposes,’” approved March 6th, 1838, “A bill to alter the limits of the village of Constantine,” and “A bill to vacate a certain road in the village of Otsego;” also “A preamble and resolution relative to the navigation of the Detroit river.” I also herewith return the bill entitled “A bill to authorize the erection of certain dams therein named,” with an amendment made thereto by the Senate, in which bills, resolution and amendment, the concurrence of the House of Representatives is respectfully requested.

The bill transmitted from the Senate, to amend an act entitled “An act to organize certain townships and for other purposes,” approved March 10, 1838, having been read the first and second times, on motion, the rule was suspended, and said bill was read the third time and passed.

The bill transmitted from the Senate, to alter the limits of the

village of Constantine, was read the first and second times and referred to the committee on banks and incorporations, and the bill from the Senate, to vacate a certain road in the village of Otsego, which was read the first and second times and referred to the committee on roads and bridges. The joint resolution transmitted from the Senate, was read the first and second times, and according to rule was laid on the table for one day : the rule being suspended, said resolution was read the third time and passed ; and the bill returned to authorize the building of certain dams therein named, was taken up, and the amendment having been concurred in, the bill as amended, was then read the third time and passed.

Mr. Gantt offered the following preamble and resolution, which was, on his motion, laid on the table for one day.

Whereas, common report is sufficient cause for investigation of any of the institutions of a state : and whereas, it is reported that certain fraudulent banks have sprung up under the influence and means of other banks, their officers or agents ; and whereas, the public interest is involved, to a great extent, in the solvency or insolvency of the banks of this state ; therefore,

Resolved, That a committee of five be appointed by this House to investigate the affairs, condition, and business transactions of the Farmers' and Mechanics' bank of Michigan, and they have power to send for persons and papers, and the said committee is hereby directed to report the result of such investigation to this House as soon as practicable.

Mr. Butler offered the following preamble and resolution, which was, on his motion, laid on the table for one day.

Whereas, it is stated that certain persons in the different counties in this state, are exercising the functions and performing the duties of masters in chancery and notaries public, in pursuance of appointments heretofore received under the late territorial government ; and whereas, it is also stated that the Hon. John S. Horner, the late secretary, took with him, on leaving here, the executive journal of said territory : therefore,

Be it resolved by the Senate and House of Representatives of the State of Michigan, That the offices of all masters in chancery and notaries public, heretofore appointed under the late territorial government, who have not been reappointed by the authority of

this state, are deemed and are hereby declared vacant, after the passage of this resolution.

Mr. Montgomery offered the following joint resolution, which was read the first and second times, and according to rule, laid on the table for one day.

Resolved by the Senate and House of Representatives of the State of Michigan, That the board of commissioners of internal improvement be, and they are hereby authorized and instructed, to change the course of the Havre branch railroad, and to terminate said road at some eligible point near the depot on the southern state railroad in the city of Monroe.

Mr. Spafford, according to notice given and leave granted, introduced a bill to amend an act entitled "An act to incorporate the village of Tecumseh," which was read the first and second times and referred to the committee on banks and incorporations.

The engrossed bill relative to state annual reports was taken up, read the third time and passed.

The House then took up for a third reading, the bill "to encourage the manufacture of glass within the state of Michigan," and on motion of Mr. Butler, said bill was amended by striking out in line eight of section two, the word "seven," and inserting "six;" on motion of Mr. Crane, said bill was further amended by inserting after the word "general," in line twelve of section two, the words "and when the said mortgage or mortgages shall have been duly recorded in the office of the register of deeds of the proper county."

On motion of Mr. Crane, said bill was further amended by adding the following to section second, viz :

"And further, that additional or renewed bond or bonds and mortgage or mortgages, to the satisfaction of the said Auditor General, with additional surety or sureties, to be in like manner approved by him, shall from time to time, as the Auditor General may require, be given as aforesaid by the said Hall and Grovier or their assigns, and if said Hall and Grovier or their assigns, as the case may be, shall neglect or refuse for the space of twenty days after the notification of the requisition of the said Auditor General, to execute such additional or renewed bond or bonds and mortgage or mortgages, with surety or sureties as aforesaid, the

condition of said bond or bonds and mortgage or mortgages shall be deemed thereby to have been forfeited, and thereupon, or upon the happening of any other breach of the condition of said bond or bonds and mortgage or mortgages, the said Auditor General for the time being, shall cause suit to be brought for the recovery thereof, to the use of the state."

Said bill then passed as amended, by yeas and nays, as follows:

YEAS.

Mr. Adams,	Mr. Kellogg,	Mr. Pray,
Mr. Butler,	Mr. Kent,	Mr. Payne,
Mr. Champlin,	Mr. King,	Mr. Poucher,
Mr. Charter,	Mr. Lane,	Mr. Risdon,
Mr. Goodman,	Mr. Lancaster,	Mr. H. Smith,
Mr. Gidley,	Mr. Levake,	Mr. Spafford,
Mr. Gantt,	Mr. Montgomery,	Mr. Wadhams,
Mr. Hotchkiss,		

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NAYS.

Mr. Ball,	Mr. Doty,	Mr. Odell,
Mr. Burke,	Mr. Decker,	Mr. Thompson,
Mr. Buel,	Mr. Draper,	Mr. Vickery,
Mr. Buckbee,	Mr. J. M. Howard,	Mr. Wakefield,
Mr. Cook,	Mr. Lacy,	Mr. Speaker,
Mr. Crane,	Mr. McClelland,	

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The Chair announced a communication from the Auditor General, which having been read, was referred to the committee on ways and means.

The bill from the Senate in relation to supervisors was taken up for a third reading, when, on motion of Mr. Crane, said bill was laid upon the table.

The House then took up the bill to organize the county of Ingham, and on motion of Mr. Crane, section three of said bill was amended by striking out the words "a court-house be erected," and inserting "convenient buildings be erected at the county seat;" said bill as amended was then read the third time and passed.

The bill from the Senate, "authorizing the building of a certain dam therein named," was taken up, read the third time and passed.

The bill "to organize certain townships, and for other purposes," was taken up, read the third time and passed.

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The House then resolved itself into a committee of the whole, Mr. Payne in the chair, upon bill seventy-nine, "making appropriations to defray the expenses of the militia, and for repairing the state arms," and after some time spent thereon, the committee rose, and through their chairman reported the same to the House without amendment; and said bill was then referred to the committee on claims.

The House then resolved itself into a committee of the whole, Mr. Vickery in the chair, upon a bill from the Senate, "to authorize the president and trustees of the village of New Buffalo to borrow a certain sum of money," and after some time spent therein, the committee rose, and through their chairman reported the same to the House without amendment, and said bill was then ordered to be engrossed for a third reading; the rule being suspended, said bill was read the third time and passed.

The House then resolved itself into a committee of the whole, Mr. Draper in the chair, upon bill seventy-eight, "to amend an act entitled 'An act for the relief of the inhabitants of Penn township,'" and after some time spent therein, the committee rose, and through their chairman reported the same to the House without amendment; said bill was then ordered to be engrossed for a third reading; the rule being suspended, said bill was read the third time and passed.

The House then resolved itself into a committee of the whole, Mr. Wadham in the chair, upon bill seventy-seven, to amend an act entitled "An act to incorporate the village of Ypsilanti," and after some time spent therein, the committee rose, and through their chairman reported the same to the House, with an amendment which was concurred in, and said bill was then ordered to be engrossed for a third reading; the rule being suspended, said bill was read the third time and passed.

The House then resolved itself into a committee of the whole, Mr. Crane in the chair, upon bill number seventy-two, "to authorize the laying out and establishing certain state roads," and after some time spent thereon, the committee rose, and through their chairman reported the same to the House with sundry amend-

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ments, which were concurred in, said bill was ordered to be engrossed for a third reading.

On motion, the House adjourned.

Thursday, March 15.

The House met pursuant to adjournment.

Prayer by the Rt. Rev. Bishop McCosky.

The roll having been called, and

The proceedings of yesterday having been read,

Petitions presented: by Mr. Buel, for the organization of a town; referred to the committee on towns and counties. By Mr. Charter, for a botanic or Thompsonian society; referred to the committee on the judiciary.

Mr. Risdon, from the committee on roads and bridges, to which was referred a bill from the Senate "to vacate a certain road in the village of Otsego," reported the same to the House with sundry amendments; said bill was laid on the table.

Mr. Hotchkiss, according to notice given and leave granted, introduced a bill "to incorporate the Medina and Canandaigua railroad company," which was read the first and second times and referred to the committee on internal improvement.

Mr. J. Howard gave notice that he should, at some future day, ask leave to bring in a bill to change the location of the Havre branch railroad.

Mr. Kellogg offered the following resolution, which was not adopted.

Resolved, That the House will hereafter commence their morning session at the hour of nine o'clock.

Mr. Levake offered the following resolution, which was not adopted.

Resolved, That the committee on expenditure be instructed to furnish members of this House, knives and such other articles as they have lost.

The Chair announced a message from the Senate, in the words following:

Mr. SPEAKER—In pursuance of the rules of the Senate, I here-

with transmit bills which have passed the Senate, entitled "A bill to regulate the terms of the circuit court in the counties of Macomb, St. Clair, Livingston and Monroe," "A bill authorizing the building of a dam across the Shiawassee river," and "A bill to vacate a part of the village plat of Grand Traverse, and for other purposes;" I also herewith return the bill entitled "A bill to amend an act to organize the militia," with an amendment made thereto by the Senate, in which bills and amendment the concurrence of the House of Representatives is respectfully requested.

The bill from the Senate, to regulate the terms of the circuit court in the counties of Macomb, St. Clair, Livingston and Monroe, was read the first and second times, and referred to the committee on the judiciary; and the bill from the Senate, authorizing the building of a certain dam across the Shiawassee river, was read the first and second times, and referred to the committee on roads and bridges, and the bill to vacate a part of the village plat of Grand Traverse, and for other purposes, was read the first and second times and referred to the committee on banks and incorporations.

The bill to amend an act to organize the militia, was taken up for consideration, and the amendment made by the Senate concurred in, and said bill as amended then passed.

Mr. Gantt called up a resolution, by him submitted yesterday, relative to the Farmers' and mechanics' bank of Michigan.

Mr. Payne moved to amend by inserting after the word "and," in line fifteen, the following; which the mover accepted:

"The Michigan state bank, and report to this House whether the public moneys are safe in the last mentioned institution; also what quantity of money received by said bank from the government of the United States, and in what kind and how much of each kind, so received, and how much premium has been charged the state for eastern funds by said bank; also what kind of funds have been paid out by said bank on drafts and checks, for public disbursements, and how much; also what kind of money received on account of the half a million loan, and how much, and what amount stands credited to this state, and whether the same funds have been and are now paid out as received, and if not, what difference between funds received and paid out; also how much specie received from the United States, for and on account of this state, has been sold in New York

or elsewhere, and at what premium, and whether said state has been credited with the premium, if so sold, and the actual amount of specie in the vaults of said bank at this time and its general condition."

The resolution as amended was then adopted, and the Chair announced Messrs. Gantt, Payne, Buckbee, Crane and Vickery, as said committee, to which the subject was referred.

Mr. Butler called up a joint resolution, by him submitted yesterday, relative to masters in chancery, and notaries public, which was read the third time and passed.

The House then resolved itself into committee of whole, Mr. Hotchkiss in the chair, upon bill number six, for the relief of D. Pittman, division inspector, and after some time spent thereon, the committee rose, and through their chairman reported the same to the House without amendment; said bill was then referred to the committee on claims.

Mr. McClelland moved that the House go into committee of the whole, upon the appropriation bill, which was decided by yeas and nays, in the affirmative, as follows:

YEAS.

Mr. Adams,	Mr. Gantt,	Mr. Poucher,
Mr. Ball,	Mr. Hotchkiss,	Mr. Spafford,
Mr. Beaufait,	Mr. Kent,	Mr. Sheldon,
Mr. Butler,	Mr. King,	Mr. Thompson,
Mr. Crane,	Mr. Lancaster,	Mr. Wakefield,
Mr. Charter,	Mr. McClelland,	Mr. Wixom,
Mr. Dorsey,	Mr. Montgomery,	Mr. Wadhams, 21

NAYS.

Mr. Burke,	Mr. J. M. Howard,	Mr. Payne,
Mr. Buel,	Mr. Kellogg,	Mr. Risdon,
Mr. Buckbee,	Mr. Lacey,	Mr. J. R. Smith,
Mr. Cook,	Mr. Lane,	Mr. Vickery,
Mr. Doty,	Mr. Levake,	Mr. Williams,
Mr. Goodman,	Mr. Moran,	Mr. Speaker,
Mr. Gidley,	Mr. Odell,	20

The House then resolved itself into committee of the whole, Mr. Montgomery in the chair, upon said bill "to provide for the continuation of the improvements of the state of Michigan," and after some time spent thereon, the committee rose, and through their

chairman reported progress, asked and obtained leave to sit again.

The House then resolved itself into a committee of the whole, Mr. Williams in the chair, upon bill number seventy-six, granting to Henry Raymond the right to keep and maintain a ferry across Detroit river, from Truago to Grosse Isle; and after some time spent therein, the committee rose, and through their chairman reported the same to the House without amendment; said bill was then ordered to be engrossed for a third reading.

The rule being suspended, said bill, entitled as above, was read a third time and passed.

The bill from the Senate to vacate a certain road in the village of Otsego, was taken up, read the third time and passed.

The House then resolved itself into a committee of the whole, Mr. Risdon in the chair, upon bill seventy-five, supplementary to an act authorizing the construction of a ship canal around the Falls of Ste. Marie: and after some time spent thereon, the committee rose, and through their chairman, reported the same to the House, with an amendment, and the question being upon concurring in said amendment, on motion, said bill was laid on the table.

The House then went into a committee of the whole, Mr. Gidley in the chair, upon the apportionment bill, and after some time spent therein, the committee rose, and through their chairman reported the same to the House with sundry amendments, which were concurred in, and on motion of Mr. Kellogg, section first was amended so as to make Ionia, Kent and Ottawa one district, and entitled to one representative, and Allegan, Barry and Eaton, one district, and also entitled to one representative.

Said bill was then ordered to be engrossed for a third reading. On motion, the House adjourned.

AFTERNOON SESSION.

The House met pursuant to adjournment.

The Chair announced a message from the Executive, in the words following :

To the House of Representatives :

I have this day approved and filed in the office of the Secretary of State, the following acts, viz : "An act to change the names of

township of Lenawee, and the village of Whitmanville," "An act to organize certain townships, and for other purposes," "An act to authorize the State Treasurer to receive certain bank bills for state taxes," and "An act to encourage the manufacture of sugar from the beet."

STEVENS T. MASON.

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Mr. Buel, from the committee on the judiciary, to which was referred a bill from the Senate to regulate the terms of the circuit courts in the counties of Macomb, St. Clair, Livingston, and Monroe, reported the same to the House with sundry amendments, which bill was taken up for consideration and the amendments severally concurred in.

On motion of Mr. Crane, said bill was further amended by striking out in line fourteen "second Wednesday," and inserting "third Tuesday;" said bill as amended was then read a third time and passed.

Mr. Payne, according to notice given and leave granted, introduced a bill supplementary to an act to provide for the relief of the Palmyra and Jacksonburgh railroad company, which was read the first and second times and laid on the table.

The House then resolved itself into committee of the whole, Mr. J. M. Howard in the chair, upon bill number thirty-eight, to incorporate the Brest and St. Joseph canal and river navigation company, and after some time spent thereon, the committee rose, and through their chairman reported progress, asked and obtained leave to sit again.

The House then took up for a third reading the engrossed bill to amend an act entitled "An act to amend 'An act to organize and regulate banking associations and for other purposes,' and to suspend the operation of the same."

On motion of Mr. McClelland, said bill was amended by striking out all of section one after the enacting clause.

Said bill as amended, then passed, by yeas and nays, as follows:

YEAS.

Mr. Burke,	Mr. Gidley,	Mr. Odell,
Mr. Buel,	Mr. J. M. Howard,	Mr. Pray,
Mr. Beaufait,	Mr. J. Howard,	Mr. Payne,

Mr. Buckbee,	Mr. Hotchkiss,	Mr. Poucher,
Mr. Cook,	Mr. Kent,	Mr. Risdon,
Mr. Charter,	Mr. King,	Mr. H. Smith,
Mr. Dorsey,	Mr. Lancaster,	Mr. Spafford,
Mr. Doty,	Mr. McClelland,	Mr. J. R. Smith,
Mr. Draper,	Mr. Moran,	Mr. Thompson,
Mr. Goodman,	Mr. Montgomery,	Mr. Vickery,
	NAYS.	30
Mr. Adams,	Mr. Gant,	Mr. Wakefield,
Mr. Ball,	Mr. Lacey,	Mr. Wixom,
Mr. Butler,	Mr. Lane,	Mr. Wadhams,
Mr. Crane,	Mr. Sheldon,	Mr. Speaker,
Mr. Decker,		13

On motion of Mr. J. Howard, the report of the quartermaster general, heretofore laid on the table, was referred to the committee on the militia.

The Chair announced a statement from the Bank of Clinton, which was laid on the table.

On motion, the House adjourned.

Friday, March 16.

The House met pursuant to adjournment.

Prayer by the Rt. Rev. Bishop McCosky.

The roll having been called, and

The proceedings of yesterday having been read,

Mr. Gant presented a petition relative to the safety fund banks; referred to the select committee heretofore appointed by the Chair.

Mr. J. M. Howard, from the committee on banks and incorporations, to which was referred a bill from the Senate to alter the limits of the village of Constantine, reported the same to the House without amendment, which was laid on the table: also reported the bill to incorporate the village of Dearborn, to the House without amendment; also reported the bill to incorporate the Cadmean seminary, without amendment; also reported the bill to vacate a part of the village plat of Grand Traverse, and for other purposes, with an amendment, which report and amendment was laid on the table; also reported without amendment the bill to amend an act entitled "An act to incorporate the village of Tecumseh;" also

reported without amendment the bill to incorporate the Ypsilanti and Tecumseh railroad company; which bills were laid on the table.

Mr. J. M. Howard, from the committee on education, to which was referred "A bill to incorporate the Tecumseh academy," reported the same to the House with an amendment, which was laid on the table.

Mr. Risdon, from the committee on roads and bridges, to which was referred a bill from the Senate authorizing the building of a dam across the Shiawassee river, reported the same to the House without amendment.

Mr. Butler, according to notice given and leave granted, introduced a bill to incorporate the village of Belvidere, which was read the first and second times and laid on the table.

Mr. J. Howard, according to notice given and leave granted, introduced a bill to change the location of the Havre Branch railroad. Read the first and second times and referred to the committee on internal improvement.

Mr. Kellogg, according to notice given and leave granted, introduced a bill to legalize the erection and maintaining a dam across the Kalamazoo river, which was read the first and second times and referred to the committee on roads and bridges.

Mr. Henry Smith offered the following joint resolution, which was read the first and second times and laid on the table for one day, according to rule.

Be it resolved by the Senate and House of Representatives, That five thousand copies of the several acts now in existence and applicable to the militia of this state, be printed, and that the same be distributed to the officers of the militia by the commander-in-chief.

The rule being suspended, said resolution was taken up for consideration.

On motion of Mr. Gantt, said resolution was amended by adding the words "also three thousand copies of the school act, to be distributed among the several school districts throughout the state;" said resolution as amended, was then read the third time and passed.

The Chair announced a message from the Senate, in the words following:

Mr. SPEAKER—In pursuance of the rules of the Senate, I herewith transmit a bill which has passed the Senate, entitled “A bill to provide for taking the acknowledgment of deeds and cessions of lands to the people of this state.” I also herewith return the bill entitled “A bill to organize certain townships, and for other purposes,” with an amendment made thereto by the Senate, in which bill and amendment the concurrence of the House of Representatives is respectfully requested.

The bill transmitted from the Senate to provide for taking the acknowledgment of deeds and cessions of lands to the people of this state, was read the first and second times and referred to the committee on the judiciary.

The bill returned with an amendment, was taken up for consideration, and the question being upon concurring in the amendment,

Mr. Gidley moved to amend by adding the following, which was decided in the affirmative :

“That so much of the township of Napoleon, in the county of Jackson, as lies one half a mile west of the original surveyed township line, between town one and two east, be and the same is hereby set off into a separate township by the name of Ulster, and that the first township meeting be held at the house of William Fuller, in said township.”

“Sec. . The next township meeting for the township of Macon, in Lenawee county, shall be held at the house of John Mills in said township.”

The bill as amended then passed.

The engrossed bill for the apportionment of the members of the House of Representatives of this state, and for the arrangement of the Senate districts, was taken up, read the third time and passed.

Mr. Henry Smith, according to notice given and leave granted, introduced a bill to create an ordnance department, and to provide for the erection of an arsenal, which was read the first and second times and laid on the table.

The House then resolved itself into a committee of the whole,

Mr. Gidley in the chair, upon the special order of the day, a bill further to locate the state southern railroad ; after some time spent thereon, the committee rose, and through their chairman, reported the same to the House without amendment.

Mr. Payne moved to strike out section two, which was negatived.

Mr. Spafford moved to amend section one, by adding the following proviso :

Provided, That the eastern section of said railroad, as now located, be so altered as to run on the most eligible and direct route from the village of Adrian to the village of Tecumseh, thence to Dundee and Monroe.

The question on adding the proviso, was decided by yeas and nays, in the negative, as follows :

YEAS.

Mr. Goodman,	Mr. H. Smith,	Mr. Sheldon,
Mr. Montgomery,	Mr. Spafford,	Mr. J. R. Smith,
Mr. Risdon,		

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NAYS.

Mr. Adams,	Mr. Gidley,	Mr. Odell,
Mr. Ball,	Mr. Gantt,	Mr. Pray,
Mr. Burke,	Mr. J. M. Howard,	Mr. Payne,
Mr. Buel,	Mr. J. Howard,	Mr. Poucher,
Mr. Butler,	Mr. Hotchkiss,	Mr. Thompson,
Mr. Buckbee,	Mr. Kellogg,	Mr. Vickery,
Mr. Crane,	Mr. Kent,	Mr. Wakefield,
Mr. Charter,	Mr. Lacey,	Mr. Wixom,
Mr. Dorsey,	Mr. Lane,	Mr. Williams,
Mr. Doty,	Mr. Lancaster,	Mr. Wadham,
Mr. Decker,	Mr. McClelland,	Mr. Speaker,
Mr. Draper,		

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On motion of Mr. J. M. Howard, section two was amended by striking out in lines one and two, the words "are directed and required," and insert the word "shall," also in lines two and three, the words "placed at their disposal for the construction of the southern railroad."

Said bill was then ordered to be engrossed for a third reading, by yeas and nays, as follows :

YEAS.

Mr. Burke,	Mr. J. Howard,	Mr. Risdon,
Mr. Buel,	Mr. Kellogg,	Mr. H. Smith,
Mr. Cook,	Mr. King,	Mr. Spaftord,
Mr. Dorsey,	Mr. Lacey,	Mr. Sheldon,
Mr. Doty,	Mr. Lane,	Mr. J. R. Smith,
Mr. Goodman,	Mr. Montgomery,	Mr. Vickery,
Mr. Gidley,	Mr. Odell,	Mr. Williams,
Mr. J. M. Howard,		

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NAYS.

Mr. Adams,	Mr. Draper,	Mr. Payne,
Mr. Ball,	Mr. Gantt,	Mr. Poucher,
Mr. Butler,	Mr. Hotchkiss,	Mr. Thompson,
Mr. Buckbee,	Mr. Kent,	Mr. Wakefield,
Mr. Crane,	Mr. Lancaster,	Mr. Wixom,
Mr. Charter,	Mr. McClelland,	Mr. Wadhamns,
Mr. Decker,	Mr. Pray,	Mr. Speaker,

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The question then being upon the final passage of the bill,
On motion of Mr. Cook, the House adjourned.

AFTERNOON SESSION.

The House met pursuant to adjournment.

The roll having been called,

Mr. Butler, according to notice given and leave granted, introduced a bill to amend an act entitled "An act to organize the township of Hickory, and for other purposes," which was read the first and second times, and laid upon the table.

Mr. Ball presented a petition for a state road; referred to the committee on roads and bridges.

The House then took up the unfinished business of the morning, viz: the consideration of the bill further to locate the state southern railroad, and the question being upon the final passage of the bill, Mr. Gantt moved to amend by substituting the following for the whole bill:

"That the board of commissioners of internal improvement be, and they are hereby directed and required to change the location of the southern railroad, so as to cause the same to pass through the villages of Niles and Bertrand."

Mr. Odell moved to amend the amendment, by making Cassopolis a point, which was lost.

Mr. Payne then moved to amend the amendment, by adding the

words, "provided the said commissioners shall deem such change of location for the best interests of the state," which was lost.

The question then recurring upon the amendment, it was decided, by yeas and nays, in the negative as follows:

YEAS.

Mr. Adams,	Mr. Draper,	Mr. Poucher,
Mr. Ball,	Mr. Gant,	Mr. Thompson,
Mr. Beaufait,	Mr. J. Howard,	Mr. Wakefield,
Mr. Butler,	Mr. Hotchkiss,	Mr. Wixom,
Mr. Buckbee,	Mr. Lancaster,	Mr. Wadham,
Mr. Crane,	Mr. McClelland,	Mr. Speaker, 20
Mr. Decker,	Mr. Payne,	

NAYS.

Mr. Burke,	Mr. Kellogg,	Mr. Pray,
Mr. Buel,	Mr. Kent,	Mr. Risdon,
Mr. Cook,	Mr. Lacey,	Mr. H. Smith,
Mr. Dorsey,	Mr. Lane,	Mr. Spafford,
Mr. Doty,	Mr. Moran,	Mr. Sheldon,
Mr. Goodman,	Mr. Montgomery,	Mr. J. R. Smith,
Mr. Gidley,	Mr. Odell,	Mr. Vickery,
Mr. J. M. Howard,		22

Mr. H. Smith moved to amend section one, by inserting after the word "New Buffalo," the words "by way of Bertrand," which was lost.

The bill then passed, by yeas and nays, as follows;

YEAS.

Mr. Burke,	Mr. J. Howard,	Mr. Odell,
Mr. Buel,	Mr. Kellogg,	Mr. Risdon,
Mr. Cook,	Mr. King,	Mr. H. Smith,
Mr. Doty,	Mr. Lacey,	Mr. Spafford,
Mr. Goodman,	Mr. Lane,	Mr. Sheldon,
Mr. Gidley,	Mr. Levake,	Mr. J. R. Smith,
Mr. Gant,	Mr. Moran,	Mr. Vickery,
Mr. J. M. Howard,	Mr. Montgomery,	23

NAYS.

Mr. Adams,	Mr. Decker,	Mr. Payne,
Mr. Ball,	Mr. Draper,	Mr. Poucher,
Mr. Beaufait,	Mr. Hotchkiss,	Mr. Thompson,
Mr. Butler,	Mr. Kent,	Mr. Wakefield,
Mr. Buckbee,	Mr. Lancaster,	Mr. Wixom,
Mr. Crane,	Mr. McClelland,	Mr. Wadham,
Mr. Charter,	Mr. Pray,	Mr. Speaker,
Mr. Dorsey,		22

On motion, the House adjourned.

Saturday, March 17.

The House met pursuant to adjournment.

Prayer by the Rt. Rev. Bishop McCosky.

The roll having been called, there was absent, Mr. J. Howard. The proceedings of yesterday having been read,

Leave of absence was granted to Mr. J. Howard for one day.

Mr. Crane presented a petition relative to the safety fund banks ; referred to the select committee heretofore appointed by the Chair.

Mr. J. M. Howard, from the committee on enrolment, reported as correctly enrolled " An act relative to firemen."

Mr. Risdon, from the committee on roads and bridges, to which was referred a petition from Abner Johnson and others, for the erection of a certain dam, reported adverse to the prayer of the petitioners, and asked to be discharged from the further consideration of the subject, which report was accepted and the committee discharged ; also reported, without amendment, the bill legalizing the erection and maintenance of a dam across the Kalamazoo river, which was laid upon the table.

Mr. Buel, from the committee on the judiciary, to which was referred a petition relative to the passage of a law constituting a board of examiners in each organized county in this state for the purpose of granting diplomas to botanical physicians, reported adverse to the prayer of the petitioners, which report was accepted.

Mr. Buel, from the committee on the judiciary, to which was referred a petition from sundry inhabitants of Saginaw for a mechanical association, reported " A bill to incorporate the mechanical association of the city of Saginaw," which was read the first and second times and laid on the table ; also reported to the House without amendment the bill from the Senate to provide for taking the acknowledgment of deeds and cessions of lands to the people of this state, which was laid upon the table.

On motion of Mr. King,

Resolved, That the clerk of this House be and he is hereby authorized to employ, whenever it shall be necessary, an assistant ; and that reasonable compensation be allowed to such assistant for his services during the time he may be employed.

Mr. J. M. Howard called up the resolution, by him submitted, relative to the sub-treasury system, and the vote on its final passage stood as follows :

YEAS.

Mr. Butler,	Mr. Hotchkiss,	Mr. Payne,
Mr. Cook,	Mr. Kellogg,	Mr. Spafford,
Mr. Draper,	Mr. Lacey,	Mr. Sheldon,
Mr. Goodman,	Mr. Lane,	Mr. J. R. Smith,
Mr. Gidley,	Mr. McClelland,	Mr. Thompson,
Mr. J. M. Howard,	Mr. Odell,	Mr. Vickery, 18

NAYS.

Mr. Adams,	Mr. Doty,	Mr. Pray,
Mr. Ball,	Mr. Decker,	Mr. Poucher,
Mr. Burke,	Mr. Gantt,	Mr. Risdon,
Mr. Buel,	Mr. Kent,	Mr. H. Smith,
Mr. Buckbee,	Mr. King,	Mr. Wakefield,
Mr. Crane,	Mr. Lancaster,	Mr. Wixom,
Mr. Charter,	Mr. Levake,	Mr. Wadham,
Mr. Dorsey,	Mr. Montgomery,	Mr. Speaker, 24

On motion of Mr. Spafford, the vote taken upon the amendment to the amendment made by the Senate to the bill to organize certain townships, and for other purposes, was reconsidered, and the question being upon concurring in the amendment, it was decided in the negative.

Mr. Cook presented a claim of Albert Chandler, for services done at the extra session of the legislature of one thousand eight hundred and thirty-seven.

Mr. Montgomery presented a claim of Ira Crandell, for services in support of the supremacy of the laws in September, one thousand eight hundred and thirty-five. Referred to the committee on claims.

Mr. Cook presented an account of Mr. George L. Whitney, for papers and printing. Referred to the committee on printing.

The House then took up for consideration, a bill to amend an act entitled "An act to organize the township of Hickory, and for other purposes," and the question being "should this bill be engrossed for a third reading," it was decided in the negative.

The Chair announced a message from the Senate, in the words following :

Mr. SPEAKER—In pursuance of the rules of the Senate, I here-with transmit bills which have passed the Senate, entitled "A bill

to authorize the appointment of receivers in chancery in vacation," "A bill authorizing the building of the state penitentiary," and a bill supplementary to an act entitled "An act to amend an act entitled 'An act to organize and regulate banking associations,' and for other purposes," also joint resolutions entitled "Resolutions relative to the settlers claims on the Niles and Nottawassepe reserves," and "Resolutions requiring certain returns to be made by the county clerks to the president of the Senate at the next session of the legislature :" I also herewith return the bill entitled "A bill to amend an act entitled 'An act to incorporate the mechanics' society of the city of Detroit,'" with an amendment made thereto by the Senate ; and the bill entitled "A bill to regulate the terms of the circuit courts in the counties of Macomb, St. Clair, Livingston and Monroe," with an amendment made by the Senate to the amendment of the House of Representatives to said bill ; in which several bills, resolutions and amendments, the concurrence of the House of Representatives is respectfully requested.

I also herewith return without amendment the bills entitled "A bill relative to the state geological survey, and repealing an act entitled 'An act to provide for a geological survey of the state,'" and "A bill to prevent the circulation of bills or tickets of a less denomination than one dollar."

The above bills transmitted from the Senate, were read the first and second times and referred to the appropriate committees.

The joint resolution relative to the settlers claims on the Niles and Nottawassepe reserves, was read the first and second times and laid on the table, according to rule for one day.

The rule being suspended, the resolution was read the third time and passed ; and the resolution requiring certain returns to be made by the county clerks to the president of the Senate at the next session of the legislature, was read the first and second times and ordered to be printed.

The bill to amend an act entitled "An act to incorporate the mechanics' society of the city of Detroit," was taken up for consideration and the amendment made by the Senate concurred in, and the bill as amended then passed.

The bill from the Senate, to regulate the terms of the circuit

courts in the counties of Livingston and Monroe, with an amendment to the amendment of the House to said bill, was taken up for consideration and the amendment to the amendment concurred in, and the bill as amended then passed.

The House then resolved itself into a committee of the whole, Mr. Williams in the chair, upon bill number eighty-four, relative to the appointment of collectors of tolls, and prescribing their duties, and after some time spent thereon, the committee rose, and through their chairman, reported the same to the House with an amendment, which was concurred in.

On motion of Mr. McClelland, said bill was further amended by adding the following to section six: "a copy of such instrument, certified by the Auditor General, shall be prima facie evidence in all courts of the execution of said bond by such collector and his sureties," also by inserting in section four and line two, after the word "day," the words "and the kinds of money paid therefor."

The said bill was then ordered to be engrossed for a third reading.

The rule being suspended, the engrossed bill entitled as above, was read the third time and passed.

Mr. Henry Smith offered a joint resolution relative to an appropriation by congress for the River Raisin harbor, which was read the first and second times, and according to rule, laid on the table for one day.

The rule being suspended, said resolution was then read the third time and passed.

Mr. Henry Smith asked and obtained leave to record his vote upon the question on the adoption of the "sub-treasury," resolution, which was recorded in the negative.

Mr. Crane gave notice that, at some future day, he should ask leave to introduce a bill incorporating a company to construct a railroad from Howell, county seat of Livingston, to the central railroad at Dexter, in Washtenaw.

Mr. Gant moved to reconsider the vote taken upon the passage of the bill further to locate the state southern railroad.

Mr. J. M. Howard moved that the House adjourn until Mon-

chairman reported progress, asked and obtained leave to sit again.

The House then resolved itself into a committee of the whole, Mr. Williams in the chair, upon bill number seventy-six, granting to Henry Raymond the right to keep and maintain a ferry across Detroit river, from Truago to Grosse Isle; and after some time spent therein, the committee rose, and through their chairman reported the same to the House without amendment; said bill was then ordered to be engrossed for a third reading.

The rule being suspended, said bill, entitled as above, was read a third time and passed.

The bill from the Senate to vacate a certain road in the village of Otsego, was taken up, read the third time and passed.

The House then resolved itself into a committee of the whole, Mr. Risdon in the chair, upon bill seventy-five, supplementary to an act authorizing the construction of a ship canal around the Falls of Ste. Marie; and after some time spent thereon, the committee rose, and through their chairman, reported the same to the House, with an amendment, and the question being upon concurring in said amendment, on motion, said bill was laid on the table.

The House then went into a committee of the whole, Mr. Gidley in the chair, upon the apportionment bill, and after some time spent therein, the committee rose, and through their chairman reported the same to the House with sundry amendments, which were concurred in, and on motion of Mr. Kellogg, section first was amended so as to make Ionia, Kent and Ottawa one district, and entitled to one representative, and Allegan, Barry and Eaton, one district, and also entitled to one representative.

Said bill was then ordered to be engrossed for a third reading. On motion, the House adjourned.

AFTERNOON SESSION.

The House met pursuant to adjournment.

The Chair announced a message from the Executive, in the words following :

To the House of Representatives :

I have this day approved and filed in the office of the Secretary of State, the following acts, viz : "An act to change the names of

township of Lenawee, and the village of Whitmanville," "An act to organize certain townships, and for other purposes," "An act to authorize the State Treasurer to receive certain bank bills for state taxes," and "An act to encourage the manufacture of sugar from the beet."

STEVENS T. MASON.

March 15, 1838.

Mr. Buel, from the committee on the judiciary, to which was referred a bill from the Senate to regulate the terms of the circuit courts in the counties of Macomb, St. Clair, Livingston, and Monroe, reported the same to the House with sundry amendments, which bill was taken up for consideration and the amendments severally concurred in.

On motion of Mr. Crane, said bill was further amended by striking out in line fourteen "second Wednesday," and inserting "third Tuesday;" said bill as amended was then read a third time and passed.

Mr. Payne, according to notice given and leave granted, introduced a bill supplementary to an act to provide for the relief of the Palmyra and Jacksonburgh railroad company, which was read the first and second times and laid on the table.

The House then resolved itself into committee of the whole, Mr. J. M. Howard in the chair, upon bill number thirty-eight, to incorporate the Brest and St. Joseph canal and river navigation company, and after some time spent thereon, the committee rose, and through their chairman reported progress, asked and obtained leave to sit again.

The House then took up for a third reading the engrossed bill to amend an act entitled "An act to amend 'An act to organize and regulate banking associations and for other purposes,' and to suspend the operation of the same."

On motion of Mr. MClelland, said bill was amended by striking out all of section one after the enacting clause.

Said bill as amended, then passed, by yeas and nays, as follows:

YEAS.

Mr. Burke,

Mr. Gidley,

Mr. Odell,

Mr. Buel,

Mr. J. M. Howard,

Mr. Pray,

Mr. Beaufait,

Mr. J. Howard,

Mr. Payne,

Mr. Buckbee,	Mr. Hotchkiss,	Mr. Poucher,
Mr. Cook,	Mr. Kent,	Mr. Risdon,
Mr. Charter,	Mr. King,	Mr. H. Smith,
Mr. Dorsey,	Mr. Lancaster,	Mr. Spafford,
Mr. Doty,	Mr. McClelland,	Mr. J. R. Smith,
Mr. Draper,	Mr. Moran,	Mr. Thompson,
Mr. Goodman,	Mr. Montgomery,	Mr. Vickery, 30
	NAYS.	
Mr. Adams,	Mr. Gantt,	Mr. Wakefield,
Mr. Ball,	Mr. Lacey,	Mr. Wixom,
Mr. Butler,	Mr. Lane,	Mr. Wadham,
Mr. Crane,	Mr. Sheldon,	Mr. Speaker, 13
Mr. Decker,		

On motion of Mr. J. Howard, the report of the quartermaster general, heretofore laid on the table, was referred to the committee on the militia.

The Chair announced a statement from the Bank of Clinton, which was laid on the table.

On motion, the House adjourned.

Friday, March 16.

The House met pursuant to adjournment.

Prayer by the Rt. Rev. Bishop McCoskry.

The roll having been called, and

The proceedings of yesterday having been read,

Mr. Gantt presented a petition relative to the safety fund banks; referred to the select committee heretofore appointed by the Chair.

Mr. J. M. Howard, from the committee on banks and incorporations, to which was referred a bill from the Senate to alter the limits of the village of Constantine, reported the same to the House without amendment, which was laid on the table: also reported the bill to incorporate the village of Dearborn, to the House without amendment; also reported the bill to incorporate the Cadmean seminary, without amendment; also reported the bill to vacate a part of the village plat of Grand Traverse, and for other purposes, with an amendment, which report and amendment was laid on the table; also reported without amendment the bill to amend an act entitled "An act to incorporate the village of Tecumseh;" also

reported without amendment the bill to incorporate the Ypsilanti and Tecumseh railroad company; which bills were laid on the table.

Mr. J. M. Howard, from the committee on education, to which was referred "A bill to incorporate the Tecumseh academy," reported the same to the House with an amendment, which was laid on the table.

Mr. Risdon, from the committee on roads and bridges, to which was referred a bill from the Senate authorizing the building of a dam across the Shiawassee river, reported the same to the House without amendment.

Mr. Butler, according to notice given and leave granted, introduced a bill to incorporate the village of Belvidere, which was read the first and second times and laid on the table.

Mr. J. Howard, according to notice given and leave granted, introduced a bill to change the location of the Havre Branch railroad. Read the first and second times and referred to the committee on internal improvement.

Mr. Kellogg, according to notice given and leave granted, introduced a bill to legalize the erection and maintaining a dam across the Kalamazoo river, which was read the first and second times and referred to the committee on roads and bridges.

Mr. Henry Smith offered the following joint resolution, which was read the first and second times and laid on the table for one day, according to rule.

Be it resolved by the Senate and House of Representatives, That five thousand copies of the several acts now in existence and applicable to the militia of this state, be printed, and that the same be distributed to the officers of the militia by the commander-in-chief.

The rule being suspended, said resolution was taken up for consideration.

On motion of Mr. Gantt, said resolution was amended by adding the words "also three thousand copies of the school act, to be distributed among the several school districts throughout the state;" said resolution as amended, was then read the third time and passed.

[Mar. 16.

The Chair announced a message from the Senate, in the words following:

Mr. SPEAKER—In pursuance of the rules of the Senate, I herewith transmit a bill which has passed the Senate, entitled “A bill to provide for taking the acknowledgment of deeds and cessions of lands to the people of this state.” I also herewith return the bill entitled “A bill to organize certain townships, and for other purposes,” with an amendment made thereto by the Senate, in which bill and amendment the concurrence of the House of Representatives is respectfully requested.

The bill transmitted from the Senate to provide for taking the acknowledgment of deeds and cessions of lands to the people of this state, was read the first and second times and referred to the committee on the judiciary.

The bill returned with an amendment, was taken up for consideration, and the question being upon concurring in the amendment,

Mr. Gidley moved to amend by adding the following, which was decided in the affirmative:

“That so much of the township of Napoleon, in the county of Jackson, as lies one half a mile west of the original surveyed township line, between town one and two east, be and the same is hereby set off into a separate township by the name of Ulster, and that the first township meeting be held at the house of William Fuller, in said township.”

“Sec. . The next township meeting for the township of Maccon, in Lenawee county, shall be held at the house of John Mills in said township.”

The bill as amended then passed.

The engrossed bill for the apportionment of the members of the House of Representatives of this state, and for the arrangement of the Senate districts, was taken up, read the third time and passed.

Mr. Henry Smith, according to notice given and leave granted, introduced a bill to create an ordnance department, and to provide for the erection of an arsenal, which was read the first and second times and laid on the table.

The House then resolved itself into a committee of the whole,

Mr. Gidley in the chair, upon the special order of the day, a bill further to locate the state southern railroad ; after some time spent thereon, the committee rose, and through their chairman, reported the same to the House without amendment.

Mr. Payne moved to strike out section two, which was negatived.

Mr. Spafford moved to amend section one, by adding the following proviso :

Provided, That the eastern section of said railroad, as now located, be so altered as to run on the most eligible and direct route from the village of Adrian to the village of Tecumseh, thence to Dundee and Monroe.

The question on adding the proviso, was decided by yeas and nays, in the negative, as follows :

YEAS.

Mr. Goodman,	Mr. H. Smith,	Mr. Sheldon,
Mr. Montgomery,	Mr. Spafford,	Mr. J. R. Smith,
Mr. Risdon,		

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NAYS.

Mr. Adams,	Mr. Gidley,	Mr. Odell,
Mr. Ball,	Mr. Gantt,	Mr. Pray,
Mr. Burke,	Mr. J. M. Howard,	Mr. Payne,
Mr. Buel,	Mr. J. Howard,	Mr. Poucher,
Mr. Butler,	Mr. Hotchkiss,	Mr. Thompson,
Mr. Buckbee,	Mr. Kellogg,	Mr. Vickery,
Mr. Crane,	Mr. Kent,	Mr. Wakefield,
Mr. Charter,	Mr. Lacey,	Mr. Wixom,
Mr. Dorsey,	Mr. Lane,	Mr. Williams,
Mr. Doty,	Mr. Lancaster,	Mr. Wadham,
Mr. Decker,	Mr. McClelland,	Mr. Speaker,
Mr. Draper,		

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On motion of Mr. J. M. Howard, section two was amended by striking out in lines one and two, the words "are directed and required," and insert the word "shall," also in lines two and three, the words "placed at their disposal for the construction of the southern railroad."

Said bill was then ordered to be engrossed for a third reading, by yeas and nays, as follows :

YEAS.

Mr. Burke,	Mr. J. Howard,	Mr. Risdon,
Mr. Buel,	Mr. Kellogg,	Mr. H. Smith,
Mr. Cook,	Mr. King,	Mr. Spafford,
Mr. Dorsey,	Mr. Lacey,	Mr. Sheldon,
Mr. Doty,	Mr. Lane,	Mr. J. R. Smith,
Mr. Goodman,	Mr. Montgomery,	Mr. Vickery,
Mr. Gidley,	Mr. Odell,	Mr. Williams,
Mr. J. M. Howard,		

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NAYS.

Mr. Adams,	Mr. Draper,	Mr. Payne,
Mr. Ball,	Mr. Gantt,	Mr. Poucher,
Mr. Butler,	Mr. Hotchkiss,	Mr. Thompson,
Mr. Buckbee,	Mr. Kent,	Mr. Wakefield,
Mr. Crane,	Mr. Lancaster,	Mr. Wixom,
Mr. Charter,	Mr. McClelland,	Mr. Wadham,
Mr. Decker,	Mr. Pray,	Mr. Speaker,

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The question then being upon the final passage of the bill,
On motion of Mr. Cook, the House adjourned.

AFTERNOON SESSION.

The House met pursuant to adjournment.

The roll having been called,

Mr. Butler, according to notice given and leave granted, introduced a bill to amend an act entitled "An act to organize the township of Hickory, and for other purposes," which was read the first and second times, and laid upon the table.

Mr. Ball presented a petition for a state road; referred to the committee on roads and bridges.

The House then took up the unfinished business of the morning, viz: the consideration of the bill further to locate the state southern railroad, and the question being upon the final passage of the bill, Mr. Gantt moved to amend by substituting the following for the whole bill:

"That the board of commissioners of internal improvement be, and they are hereby directed and required to change the location of the southern railroad, so as to cause the same to pass through the villages of Niles and Bertrand."

Mr. Odell moved to amend the amendment, by making Cassopolis a point, which was lost.

Mr. Payne then moved to amend the amendment, by adding the

words, "provided the said commissioners shall deem such change of location for the best interests of the state," which was lost.

The question then recurring upon the amendment, it was decided, by yeas and nays, in the negative as follows:

YEAS.

Mr. Adams,	Mr. Draper,	Mr. Poucher,
Mr. Ball,	Mr. Gantt,	Mr. Thompson,
Mr. Beaufait,	Mr. J. Howard,	Mr. Wakefield,
Mr. Butler,	Mr. Hotchkiss,	Mr. Wixom,
Mr. Buckbee,	Mr. Lancaster,	Mr. Wadham,
Mr. Crane,	Mr. McClelland,	Mr. Speaker, 20
Mr. Decker,	Mr. Payne,	

NAYS.

Mr. Burke,	Mr. Kellogg,	Mr. Pray,
Mr. Buel,	Mr. Kent,	Mr. Risdon,
Mr. Cook,	Mr. Lacey,	Mr. H. Smith,
Mr. Dorsey,	Mr. Lane,	Mr. Spafford,
Mr. Doty,	Mr. Moran,	Mr. Sheldon,
Mr. Goodman,	Mr. Montgomery,	Mr. J. R. Smith,
Mr. Gidley,	Mr. Odell,	Mr. Vickery,
Mr. J. M. Howard,		22

Mr. H. Smith moved to amend section one, by inserting after the word "New Buffalo," the words "by way of Bertrand," which was lost.

The bill then passed, by yeas and nays, as follows;

YEAS.

Mr. Burke,	Mr. J. Howard,	Mr. Odell,
Mr. Buel,	Mr. Kellogg,	Mr. Risdon,
Mr. Cook,	Mr. King,	Mr. H. Smith,
Mr. Doty,	Mr. Lacey,	Mr. Spafford,
Mr. Goodman,	Mr. Lane,	Mr. Sheldon,
Mr. Gidley,	Mr. Levake,	Mr. J. R. Smith,
Mr. Gantt,	Mr. Moran,	Mr. Vickery,
Mr. J. M. Howard,	Mr. Montgomery,	23

NAYS.

Mr. Adams,	Mr. Decker,	Mr. Payne,
Mr. Ball,	Mr. Draper,	Mr. Poucher,
Mr. Beaufait,	Mr. Hotchkiss,	Mr. Thompson,
Mr. Butler,	Mr. Kent,	Mr. Wakefield,
Mr. Buckbee,	Mr. Lancaster,	Mr. Wixom,
Mr. Crane,	Mr. McClelland,	Mr. Wadham,
Mr. Charter,	Mr. Pray,	Mr. Speaker,
Mr. Dorsey,		22

On motion, the House adjourned.

Saturday, March 17.

The House met pursuant to adjournment.

Prayer by the Rt. Rev. Bishop McCosky.

The roll having been called, there was absent, Mr. J. Howard.

The proceedings of yesterday having been read,

Leave of absence was granted to Mr. J. Howard for one day.

Mr. Crane presented a petition relative to the safety fund banks ; referred to the select committee heretofore appointed by the Chair.

Mr. J. M. Howard, from the committee on enrolment, reported as correctly enrolled " An act relative to firemen."

Mr. Risdon, from the committee on roads and bridges, to which was referred a petition from Abner Johnson and others, for the erection of a certain dam, reported adverse to the prayer of the petitioners, and asked to be discharged from the further consideration of the subject, which report was accepted and the committee discharged ; also reported, without amendment, the bill legalizing the erection and maintenance of a dam across the Kalamazoo river, which was laid upon the table.

Mr. Buel, from the committee on the judiciary, to which was referred a petition relative to the passage of a law constituting a board of examiners in each organized county in this state for the purpose of granting diplomas to botanical physicians, reported adverse to the prayer of the petitioners, which report was accepted.

Mr. Buel, from the committee on the judiciary, to which was referred a petition from sundry inhabitants of Saginaw for a mechanical association, reported " A bill to incorporate the mechanical association of the city of Saginaw," which was read the first and second times and laid on the table ; also reported to the House without amendment the bill from the Senate to provide for taking the acknowledgment of deeds and cessions of lands to the people of this state, which was laid upon the table.

On motion of Mr. King,

Resolved, That the clerk of this House be and he is hereby authorized to employ, whenever it shall be necessary, an assistant ; and that reasonable compensation be allowed to such assistant for his services during the time he may be employed.

Mr. J. M. Howard called up the resolution, by him submitted, relative to the sub-treasury system, and the vote on its final passage stood as follows :

YEAS.

Mr. Butler,	Mr. Hotchkiss,	Mr. Payne,
Mr. Cook,	Mr. Kellogg,	Mr. Spafford,
Mr. Draper,	Mr. Lacey,	Mr. Sheldon,
Mr. Goodman,	Mr. Lane,	Mr. J. R. Smith,
Mr. Gidley,	Mr. McClelland,	Mr. Thompson,
Mr. J. M. Howard,	Mr. Odell,	Mr. Vickery, 18

NAYS.

Mr. Adams,	Mr. Doty,	Mr. Pray,
Mr. Ball,	Mr. Decker,	Mr. Poucher,
Mr. Burke,	Mr. Gantt,	Mr. Risdon,
Mr. Buel,	Mr. Kent,	Mr. H. Smith,
Mr. Buckbee,	Mr. King,	Mr. Wakefield,
Mr. Crane,	Mr. Lancaster,	Mr. Wixom,
Mr. Charter,	Mr. Levake,	Mr. Wadham,
Mr. Dorsey,	Mr. Montgomery,	Mr. Speaker, 24

On motion of Mr. Spafford, the vote taken upon the amendment to the amendment made by the Senate to the bill to organize certain townships, and for other purposes, was reconsidered, and the question being upon concurring in the amendment, it was decided in the negative.

Mr. Cook presented a claim of Albert Chandler, for services done at the extra session of the legislature of one thousand eight hundred and thirty-seven.

Mr. Montgomery presented a claim of Ira Crandell, for services in support of the supremacy of the laws in September, one thousand eight hundred and thirty-five. Referred to the committee on claims.

Mr. Cook presented an account of Mr. George L. Whitney, for papers and printing. Referred to the committee on printing.

The House then took up for consideration, a bill to amend an act entitled "An act to organize the township of Hickory, and for other purposes," and the question being "should this bill be engrossed for a third reading," it was decided in the negative.

The Chair announced a message from the Senate, in the words following:

Mr. SPEAKER—In pursuance of the rules of the Senate, I here-with transmit bills which have passed the Senate, entitled "A bill

to authorize the appointment of receivers in chancery in vacation," "A bill authorizing the building of the state penitentiary," and a bill supplementary to an act entitled "An act to amend an act entitled 'An act to organize and regulate banking associations,' and for other purposes," also joint resolutions entitled "Resolutions relative to the settlers claims on the Niles and Nottawassepe reserves," and "Resolutions requiring certain returns to be made by the county clerks to the president of the Senate at the next session of the legislature :" I also herewith return the bill entitled "A bill to amend an act entitled 'An act to incorporate the mechanics' society of the city of Detroit,'" with an amendment made thereto by the Senate ; and the bill entitled "A bill to regulate the terms of the circuit courts in the counties of Macomb, St. Clair, Livingston and Monroe," with an amendment made by the Senate to the amendment of the House of Representatives to said bill ; in which several bills, resolutions and amendments, the concurrence of the House of Representatives is respectfully requested.

I also herewith return without amendment the bills entitled "A bill relative to the state geological survey, and repealing an act entitled 'An act to provide for a geological survey of the state,'" and "A bill to prevent the circulation of bills or tickets of a less denomination than one dollar."

The above bills transmitted from the Senate, were read the first and second times and referred to the appropriate committees.

The joint resolution relative to the settlers claims on the Niles and Nottawassepe reserves, was read the first and second times and laid on the table, according to rule for one day.

The rule being suspended, the resolution was read the third time and passed ; and the resolution requiring certain returns to be made by the county clerks to the president of the Senate at the next session of the legislature, was read the first and second times and ordered to be printed.

The bill to amend an act entitled "An act to incorporate the mechanics' society of the city of Detroit," was taken up for consideration and the amendment made by the Senate concurred in, and the bill as amended then passed.

The bill from the Senate, to regulate the terms of the circuit

courts in the counties of Livingston and Monroe, with an amendment to the amendment of the House to said bill, was taken up for consideration and the amendment to the amendment concurred in, and the bill as amended then passed.

The House then resolved itself into a committee of the whole, Mr. Williams in the chair, upon bill number eighty-four, relative to the appointment of collectors of tolls, and prescribing their duties, and after some time spent thereon, the committee rose, and through their chairman, reported the same to the House with an amendment, which was concurred in.

On motion of Mr. McClelland, said bill was further amended by adding the following to section six: "a copy of such instrument, certified by the Auditor General, shall be prima facie evidence in all courts of the execution of said bond by such collector and his sureties," also by inserting in section four and line two, after the word "day," the words "and the kinds of money paid therefor."

The said bill was then ordered to be engrossed for a third reading.

The rule being suspended, the engrossed bill entitled as above, was read the third time and passed.

Mr. Henry Smith offered a joint resolution relative to an appropriation by congress for the River Raisin harbor, which was read the first and second times, and according to rule, laid on the table for one day.

The rule being suspended, said resolution was then read the third time and passed.

Mr. Henry Smith asked and obtained leave to record his vote upon the question on the adoption of the "sub-treasury," resolution, which was recorded in the negative.

Mr. Crane gave notice that, at some future day, he should ask leave to introduce a bill incorporating a company to construct a railroad from Howell, county seat of Livingston, to the central railroad at Dexter, in Washtenaw.

Mr. Gantt moved to reconsider the vote taken upon the passage of the bill further to locate the state southern railroad.

Mr. J. M. Howard moved that the House adjourn until Mon-

day morning at half-past nine o'clock, which motion did not prevail.

The previous question being called, the question was "shall the main question be now put," it was decided in the negative, by yeas and nays, as follows :

YEAS.

Mr. Adams,	Mr. Draper,	Mr. Poucher,
Mr. Ball,	Mr. Gant,	Mr. Thompson,
Mr. Beaufait,	Mr. Hotchkiss,	Mr. Wakefield,
Mr. Butler,	Mr. Kent,	Mr. Wixom,
Mr. Buckbee,	Mr. Lancaster,	Mr. Williams,
Mr. Charter,	Mr. Pray,	Mr. Wadham,
Mr. Dorsey,	Mr. Payne,	Mr. Speaker, 21

NAYS.

Mr. Burke,	Mr. Kellogg,	Mr. Odell,
Mr. Buel,	Mr. J. M. Howard,	Mr. Risdon,
Mr. Cook,	Mr. Kent,	Mr. H. Smith,
Mr. Crane,	Mr. Lacey,	Mr. Spafford,
Mr. Doty,	Mr. Lane,	Mr. Sheldon,
Mr. Decker,	Mr. McClelland,	Mr. J. R. Smith,
Mr. Goodman,	Mr. Moran,	Mr. Vickery,
Mr. Gidley,	Mr. Montgomery,	23

Mr. Buel moved the House adjourn, which was decided, by yeas and nays, in the negative, as follows :

YEAS.

Mr. Burke,	Mr. Kellogg,	Mr. Odell,
Mr. Buel,	Mr. King,	Mr. Risdon,
Mr. Cook,	Mr. Lacey,	Mr. H. Smith,
Mr. Doty,	Mr. Lane,	Mr. Spafford,
Mr. Goodman,	Mr. Moran,	Mr. Sheldon,
Mr. Gidley,	Mr. Montgomery,	Mr. J. R. Smith,
Mr. J. M. Howard,		19

NAYS.

Mr. Adams,	Mr. Decker,	Mr. Payne,
Mr. Ball,	Mr. Draper,	Mr. Poucher,
Mr. Beaufait,	Mr. Gant,	Mr. Thompson,
Mr. Butler,	Mr. Hotchkiss,	Mr. Wakefield,
Mr. Buckbee,	Mr. Kent,	Mr. Wixom,
Mr. Crane,	Mr. Lancaster,	Mr. Williams,
Mr. Charter,	Mr. McClelland,	Mr. Wadham,
Mr. Dorsey,	Mr. Pray,	Mr. Speaker, 24

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Mr. Cook moved to lay the motion to reconsider on the table, which was decided, by yeas and nays, in the negative, as follows:

YEAS.

Mr. Burke,	Mr. Kellogg,	Mr. Risdon,
Mr. Buel,	Mr. King,	Mr. H. Smith,
Mr. Cook,	Mr. Lacey,	Mr. Spafford,
Mr. Doty,	Mr. Lane,	Mr. Sheldon,
Mr. Goodman,	Mr. Moran,	Mr. J. R. Smith,
Mr. Gidley,	Mr. Montgomery,	Mr. Vickery,
Mr. J. M. Howard,	Mr. Odell,	

20

NAYS.

Mr. Adams,	Mr. Draper,	Mr. Payne,
Mr. Ball,	Mr. Gantt,	Mr. Poucher,
Mr. Beaufait,	Mr. Hotchkiss,	Mr. Thompson,
Mr. Butler,	Mr. Kent,	Mr. Wakefield,
Mr. Buckbee,	Mr. Lancaster,	Mr. Wixom,
Mr. Crane,	Mr. Levake,	Mr. Williams,
Mr. Charter,	Mr. McClelland,	Mr. Wadham,
Mr. Dorsey,	Mr. Pray,	Mr. Speaker,
Mr. Decker,		

25

The previous question being again called for, the question being "should the main question be now put," it was decided, by yeas and nays, in the affirmative, as follows:

YEAS.

Mr. Adams,	Mr. Draper,	Mr. Payne,
Mr. Ball,	Mr. Gantt,	Mr. Poucher,
Mr. Beaufait,	Mr. Hotchkiss,	Mr. Thompson,
Mr. Butler,	Mr. Kent,	Mr. Wakefield,
Mr. Buckbee,	Mr. Lancaster,	Mr. Wixom,
Mr. Crane,	Mr. Levake,	Mr. Williams,
Mr. Charter,	Mr. McClelland,	Mr. Wadham,
Mr. Dorsey,	Mr. Pray,	Mr. Speaker,
Mr. Decker,		

25

NAYS.

Mr. Burke,	Mr. Kellogg,	Mr. Risdon,
Mr. Buel,	Mr. King,	Mr. H. Smith,
Mr. Cook,	Mr. Lacey,	Mr. Spafford,
Mr. Doty,	Mr. Moran,	Mr. Sheldon,
Mr. Goodman,	Mr. Montgomery,	Mr. J. R. Smith,
Mr. Gidley,	Mr. Odell,	Mr. Vickery,
Mr. J. M. Howard,		

19

The main question being then put, viz : the reconsideration of the vote taken upon the passage of said bill, it was decided, by yeas and nays, in the affirmative, as follows :

YEAS.

Mr. Adams,	Mr. Decker,	Mr. Payne,
Mr. Ball,	Mr. Draper,	Mr. Poucher,
Mr. Bement,	Mr. Gantt,	Mr. Thompson,
Mr. Beaufait,	Mr. Hotchkiss,	Mr. Wakefield,
Mr. Butler,	Mr. Kent,	Mr. Wixom,
Mr. Buckbee,	Mr. Lancaster,	Mr. Wadham,
Mr. Crane,	Mr. Levake,	Mr. Williams,
Mr. Charter,	Mr. McClelland,	Mr. Speaker, 26
Mr. Dorsey,	Mr. Pray,	

NAYS.

Mr. Burke,	Mr. Kellogg,	Mr. Risdon,
Mr. Buel,	Mr. King,	Mr. H. Smith,
Mr. Cook,	Mr. Lacey,	Mr. Spafford,
Mr. Doty,	Mr. Lane,	Mr. Sheldon,
Mr. Goodman,	Mr. Moran,	Mr. J. R. Smith,
Mr. Gidley,	Mr. Montgomery,	Mr. Vickery,
Mr. J. M. Howard,	Mr. Odell,	20

The question then was upon the final passage of the bill, pending which question the House adjourned until Monday morning at half-past nine o'clock.

Monday, March 19.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Thompson.

The roll having been called, there were absent, Messrs. Risdon, and Buckbee.

The proceedings of Saturday having been read,

Leave of absence was granted to Messrs. Risdon and Buckbee for one day.

Petitions presented : By Mr. Buel, from the Clinton salt works company ; referred to the committee on banks and incorporations. By Messrs. Ball and Thompson, relative to the safety fund banks ; referred to the committee heretofore appointed by the Chair. By Mr. Kellogg, for a state road. By Mr. Payne, a remonstrance

against the construction of a certain state road ; referred to the committee on roads and bridges.

Mr. McClelland, from the committee on internal improvements, to which was referred a bill from the Senate, to amend an act entitled "An act to incorporate the St. Clair and Romeo railroad company," reported that the subject more appropriately belonged to the committee on banks and incorporations, and recommended its reference to said committee, which was so referred.

Mr. McClelland also made the following report :-

The committee on internal improvements, to whom was referred a communication from the board of internal improvements relative to the purchase of iron for the ensuing year, have instructed me to report the same back to the House, and as the same subject has already been fully acted on by the legislature, to ask to be discharged from the further consideration of the same.

The above report was accepted and the committee discharged.

Mr. McClelland, from the committee on internal improvement, to which was referred a bill to change the location of the Havre Branch railroad, reported the same to the House without amendment ; also reported a bill to incorporate the Medina and Canandaigua railroad company, with sundry amendments, which were laid on the table.

Mr. Henry Smith, from the committee on the militia, to which was referred the report of the quartermaster general, made a report thereon, which having been read, was laid upon the table.

[See Document No. 48.]

Mr. Cook, from the committee on claims, to which was referred a bill making appropriations to defray the expenses of the militia, and for repairing the state arms, reported the same to the House with an amendment, which was laid upon the table.

Mr. J. M. Howard gave notice that he should at some future day ask leave to introduce a bill to authorize Jas. Eldredge a minor, to convey certain real estate.

Mr. Moran offered the following joint resolution, which was read the first and second times, and according to rule, laid upon the table for one day.

Resolved, (if the Senate concur,) That the legislature will adjourn on the 27th day of March, inst.

The rule being suspended, said resolution was taken up for consideration, and on his (Mr. Moran's) motion, was laid on the table.

The Chair announced a message from the Senate in the words following :

Mr. SPEAKER—In pursuance of the rules of the Senate, I herewith transmit a bill, which has passed the Senate, entitled “A bill to authorize the supervisors of Livingston county to borrow a certain sum of money,” also “Resolutions relative to the application of this state for donations of lands for internal improvements,” in which bill and resolution, the concurrence of the House of Representatives is respectfully requested : I also herewith return without amendment, the bill entitled “A bill to amend an act entitled ‘An act for the relief of the inhabitants of Penn township,’” and the “Resolution relative to an appropriation for the completion of the harbor of the River Raisin.”

The above bill, transmitted from the Senate, was read the first and second times, and referred to the committee on the judiciary, and the resolution having been read the first and second times, was according to rule laid on the table for one day.

The rule being suspended, said resolution was read the third time and passed.

Mr. Levake called up the following resolution, by him submitted :

Resolved, That the committee on expenditures, be instructed to furnish the members of this House, knives and such other articles as they have lost.

Mr. Henry Smith offered the following substitute, which was adopted :

“That such articles of stationery belonging to the tables of this House, as have been lost, be replaced by the proper committee.”

Mr. McClelland moved to amend by adding the words “and charged to the lobby members,” which was decided in the affirmative.

Mr. Buel from the committee on the judiciary, who were by resolution instructed to inquire into the expediency of abolishing imprisonment for debt, reported that it was inexpedient at present to pass such a law, and they therefore ask to be discharged from the further consideration of the subject, which report was accepted and the committee discharged.

On motion of Mr. Henry Smith, the vote taken upon the engrossment of the bill to amend an act entitled "An act to organize the township of Hickory, and for other purposes," was reconsidered, and said bill, together with petitions and remonstrances as relative to that subject, were referred to the committee on the judiciary.

The following message was received from the Executive by C. C. Jackson, Esq. his private secretary :

To the House of Representatives:

I have this day approved and filed in the office of the Secretary of State, the following acts, viz : "An act to authorize the building of a certain dam therein named," "An act to authorize the president and trustees of the village of New Buffalo to borrow a certain sum of money," "An act to amend an act entitled 'An act to organize certain townships, and for other purposes,' approved March 6, 1838," and "An act to vacate a certain road in the village of Otsego."

STEVENS T. MASON.

March 19, 1838.]

The unfinished business of Saturday, viz: the consideration of the bill further to locate the southern railroad, was taken up and the question being upon its final passage,

Mr. Lacey moved to amend by substituting the following for the whole bill: "That the board of internal improvement be and they are hereby directed and required so to change the location of the southern railroad between Edwardsburgh and Bertrand, as to pass through the village of Niles," which was decided in the affirmative, by yeas and nays, as follows :

YEAS.

Mr. Adams,
Mr. Ball,
Mr. Bement,
Mr. Beaufait,
Mr. Cooley,
Mr. Crane,
Mr. Charter,
Mr. Dorsey,
Mr. Decker,

Mr. Gidley,
Mr. Gantt,
Mr. J. Howard,
Mr. King,
Mr. Lacey,
Mr. Lancaster,
Mr. Levake,
Mr. McClelland,

Mr. Montgomery,
Mr. Pray,
Mr. Poucher,
Mr. H. Smith,
Mr. Spafford,
Mr. Wakefield,
Mr. Williams,
Mr. Speaker,

NAYS.

Mr. Burke,	Mr. Hotchkiss,	Mr. J. R. Smith,
Mr. Butler,	Mr. Kellogg,	Mr. Thompson,
Mr. Cook,	Mr. Lane,	Mr. Vickery,
Mr. Doty,	Mr. Odell,	Mr. Wixom,
Mr. Draper,	Mr. Payne,	Mr. Wadhamas,
Mr. Goodman,	Mr. Sheldon,	

18

Mr. Vickery moved that the sergeant-at-arms be instructed to bring in the absentees, which was decided, by yeas and nays, as follows :

YEAS.

Mr. Ball,	Mr. Hotchkiss,	Mr. Pray,
Mr. Burke,	Mr. Kellogg,	Mr. Poucher,
Mr. Beaufait,	Mr. Kent,	Mr. Spafford,
Mr. Cook,	Mr. Lacey,	Mr. Sheldon,
Mr. Cooley,	Mr. Lane,	Mr. J. R. Smith,
Mr. Crane,	Mr. Levake,	Mr. Thompson,
Mr. Dorsey,	Mr. McClelland,	Mr. Vickery,
Mr. Doty,	Mr. Montgomery,	Mr. Wakefield,
Mr. Draper,	Mr. Odell,	Mr. Speaker,
Mr. J. M. Howard,		

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NAYS.

Mr. Adams,	Mr. Goodman,	Mr. H. Smith,
Mr. Bement,	Mr. J. Howard,	Mr. Wixom,
Mr. Butler,	Mr. Lancaster,	Mr. Williams,
Mr. Charter,	Mr. Payne,	Mr. Wadhamas,
Mr. Decker,		

13

The question then being upon the passage of the bill,
On motion, the House adjourned.

AFTERNOON SESSION.

The House met pursuant to adjournment.

The roll having been called,

The Chair announced a message from the Executive in the words following :

To the House of Representatives :

I have this day approved, and filed in the office of the Secretary of State, joint resolutions relative to appropriations for the harbor of River Raisin.

STEVENS T. MASON.

March 19, 1838.

The Chair announced a statement from the Bank of Niles, which was laid on the table to be printed.

Mr. Ball presented a memorial relative to the county seat of Ottawa. Referred to the committee of towns and counties.

Mr. Spafford presented a memorial from sundry inhabitants of the county of Lenawee, praying the repeal of the law granting license for the sale of ardent spirits in this state, which was laid on the table.

Leave of absence was granted to Mr. Bowman for one day.

The House then took up the unfinished business of the morning, viz: the consideration of the bill further to locate the state southern railroad, and the question being upon the final passage of the bill, Mr. Cook moved to amend by substituting the following:]

"The commissioners be, and they are hereby directed, to lay out and establish the railroad on the most direct and eligible route from Niles to New Buffalo."

The question being upon the adoption of the amendment, it was decided, by yeas and nays, in the negative, as follows:

YEAS.

Mr. Burke,	Mr. Kellogg,	Mr. Odell,
Mr. Cook,	Mr. Lane,	Mr. Payne,
Mr. Goodman,	Mr. Moran,	Mr. Spafford,
Mr. Gidley,	Mr. Montgomery,	Mr. Sheldon,
Mr. J. M. Howard,		

13

NAYS.

Mr. Adams,	Mr. J. Howard,	Mr. H. Smith,
Mr. Ball,	Mr. Hotchkiss,	Mr. J. R. Smith,
Mr. Beaufait,	Mr. Kent,	Mr. Thompson,
Mr. Butler,	Mr. King,	Mr. Vickery,
Mr. Cooley,	Mr. Lacey,	Mr. Wakefield,
Mr. Crane,	Mr. Lancaster,	Mr. Wixom,
Mr. Charter,	Mr. McClelland,	Mr. Williams,
Mr. Dorsey,	Mr. Pray,	Mr. Wadham,
Mr. Decker,	Mr. Poucher,	Mr. Speaker,
Mr. Draper,		

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The question then recurring upon the passage of the bill, it was decided, by yeas and nays, in the affirmative, as follows:

YEAS.

Mr. Adams,	Mr. Gant,	Mr. Montgomery,
Mr. Ball,	Mr. J. Howard,	Mr. Pray,
Mr. Beaufait,	Mr. Kent,	Mr. Poucher,

Mr. Cooley,
Mr. Crane,
Mr. Dorsey,
Mr. Decker,
Mr. Draper,
Mr. Gidley,

Mr. King,
Mr. Lacey,
Mr. Lancaster,
Mr. Levake,
Mr. McClelland,

Mr. H. Smith,
Mr. Spafford,
Mr. Wakefield,
Mr. Williams,
Mr. Speaker,

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NAYS.

Mr. Burke,
Mr. Buel,
Mr. Butler,
Mr. Cook,
Mr. Charter,
Mr. Doty,
Mr. Goodman,

Mr. Hotchkiss,
Mr. Kellogg,
Mr. Lane,
Mr. Moran,
Mr. Odell,
Mr. Payne,

Mr. Sheldon,
Mr. J. R. Smith,
Mr. Thompson,
Mr. Vickery,
Mr. Wixom,
Mr. Wadham,

19

Mr. Butler moved that the House take up the appropriation bill, which was decided, by yeas and nays, in the affirmative, as follows :

YEAS.

Mr. Adams,
Mr. Ball,
Mr. Buel,
Mr. Beaufait,
Mr. Crane,
Mr. Charter,
Mr. Dorsey,
Mr. Doty,

Mr. Decker,
Mr. Draper,
Mr. Gidley,
Mr. Hotchkiss,
Mr. Kent,
Mr. Lancaster,
Mr. Levake,
Mr. McClelland,

Mr. Montgomery,
Mr. Poucher,
Mr. H. Smith,
Mr. Sheldon,
Mr. Thompson,
Mr. Wakefield,
Mr. Wixom,
Mr. Wadham,

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NAYS.

Mr. Burke,
Mr. Cook,
Mr. Cooley,
Mr. Goodman,
Mr. J. M. Howard,
Mr. J. Howard,
Mr. Kellogg,

Mr. King,
Mr. Lacey,
Mr. Lane,
Mr. Moran,
Mr. Odell,
Mr. Pray,

Mr. Payne,
Mr. Spafford,
Mr. J. R. Smith,
Mr. Vickery,
Mr. Williams,
Mr. Speaker,

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The House then resolved itself into a committee of the whole upon said bill, Mr. Montgomery in the chair, and after some time spent thereon, the committee rose, and through their chairman reported progress, asked and obtained leave to sit again.

On motion, the House adjourned.

Tuesday, March 20.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Thompson.

The roll having been called, there were absent, Messrs. J. Howard and Moran.

The proceedings of yesterday having been read,

The following petitions were presented : By Mr. Bement, against the policy of running cars on the central railroad on the Sabbath, and moved its reference to a select committee of five ; whereupon the Chair announced Messrs. Bement, Cook, Doty, Adams and Hotchkiss as said committee. By Mr. Cooley, for a state road ; referred to the committee on roads and bridges.

Mr. J. M. Howard, from the committee on enrolment, reported as correctly enrolled "An act to amend an act entitled 'An act to incorporate the mechanics' society of the city of Detroit."

Mr. Lancaster, from the same committee, reported as correctly enrolled, the following acts, viz : "An act to incorporate the village of Allegan," "An act to prevent the circulation of bills or tickets of a less denomination than one dollar," "An act to amend an act to organize the militia," "An act to authorize the erection of certain dams therein named," and "An act releasing to the United States fourteen sections on the Niles, and sections twenty-five and thirty-six on the Nottawassepe reserves, upon certain conditions."

Mr. Bement, from the committee on banks and incorporations, to whom was referred a bill from the Senate, entitled "A bill to amend an act entitled 'An act to incorporate the St. Clair and Romeo railroad company,'" reported the same to the House without amendment ; said bill was then laid on the table.

Mr. J. M. Howard, according to notice given and leave granted, introduced "A bill to authorize James Eldredge, a minor, to convey real estate in the state of Michigan," which was read the first and second times and referred to the committee on the judiciary.

Mr. Dorsey, from the committee on the state prison, to whom was referred the bill from the Senate, entitled "A bill authorizing the building of a state penitentiary," reported the same to the House without amendment.

Said bill was then laid on the table.

Mr. Cook presented a claim of John Farmer, also a claim of Messrs. Marsh and Chittenden. Mr. Gantt presented a claim of George L. Whitney, which were severally referred to the committee on claims.

Mr. Butler offered the following resolution, and moved its reference to a select committee of five.

Whereas, it is reported that the common council of the city of Detroit, have caused due bills to be issued to a greater amount than is allowed by their charter; therefore,

Resolved, That a select committee of five be appointed to enquire whether the common council of said city have in any respect violated the provisions of their charter, and report to this House by bill or otherwise, and that said committee have power to send for persons and papers.

Mr. Kellogg moved to refer the resolution to a select committee heretofore appointed by the Chair to investigate the condition of the State bank and Farmers' and mechanics' bank of this city.

Mr. Lancaster moved to postpone the consideration of the resolution indefinitely, which was decided by yeas and nays, in the affirmative, as follows :

YEAS.

Mr. Adams,	Mr. Doty,	Mr. Lancaster,
Mr. Burke,	Mr. Decker,	Mr. Levake,
Mr. Bement,	Mr. J. M. Howard,	Mr. Payne,
Mr. Buel,	Mr. Hotchkiss,	Mr. Poucher,
Mr. Beaufait,	Mr. Kellogg,	Mr. J. R. Smith,
Mr. Buckbee,	Mr. Kent,	Mr. Wakefield,
Mr. Cook,	Mr. King,	Mr. Wixom,
Mr. Cooley,	Mr. Lacey,	Mr. Williams,
Mr. Charter,	Mr. Lane,	Mr. Wadham,
Mr. Dorsey,		

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NAYS.

Mr. Butler,	Mr. Gidley,	Mr. H. Smith,
Mr. Crane,	Mr. Gantt,	Mr. Sheldon,
Mr. Draper,	Mr. McClelland,	Mr. Thompson,
Mr. Goodman,	Mr. Montgomery,	Mr. Speaker,

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Mr. Kellogg offered the following resolution :

Resolved, That the committee appointed to investigate the affairs of the Farmers' and mechanics' also the State bank of Michigan, shall include the Bank of Michigan, and report as speedily as possible, and if any of said banks shall resist or object to said investigation, said committee shall inform this House the grounds of said objections in writing.

Mr. Butler moved to amend by including the incorporation of the city of Detroit.

Mr. Buckbee moved to postpone the consideration of the resolution and amendment, indefinitely, which was decided by yeas and nays, in the affirmative, as follows :

YEAS.

Mr. Adams,	Mr. Dorsey,	Mr. Lancaster,
Mr. Burke,	Mr. Doty,	Mr. Levake,
Mr. Bement,	Mr. Decker,	Mr. McClelland,
Mr. Buel,	Mr. Goodman,	Mr. Montgomery,
Mr. Beaufait,	Mr. Gantt,	Mr. Odell,
Mr. Butler,	Mr. J. Howard,	Mr. Pray,
Mr. Buckbee,	Mr. Hotchkiss,	Mr. Poucher,
Mr. Cook,	Mr. Kent,	Mr. Risdon,
Mr. Cooley,	Mr. King,	Mr. Williams,
Mr. Charter,	Mr. Lacey,	Mr. Wadham, 30

NAYS.

Mr. Ball,	Mr. Kellogg,	Mr. J. R. Smith,
Mr. Crane,	Mr. Lane,	Mr. Thompson,
Mr. Draper,	Mr. Payne,	Mr. Vickery,
Mr. Gidley,	Mr. Spafford,	Mr. Wixom,
Mr. J. M. Howard,	Mr. Sheldon,	Mr. Speaker, 15

Mr. Gantt gave notice that he should at some future day ask leave to bring in a bill for the relief of the safety fund banks.

The Chair announced a message from the Senate in the words following :

Mr. SPEAKER—In pursuance of the rules of the Senate, I here-with again return the bill from the House of Representatives entitled "A bill to organize certain townships, and for other purposes," and am directed to inform the House that the Senate insist upon their amendment to said bill, which had been non-concurred in by the House of Representatives.

The above bill, on motion of Mr. Spafford, was laid on the table.

Mr. Lancaster offered the following resolution:

Resolved, That the select committee heretofore appointed by this House to investigate the condition of the Farmers' and mechanics' bank of Michigan, be, and they are hereby, required to suspend said investigation.

On motion of Mr. Crane, said resolution was laid on the table.

Mr. McClelland offered the following joint resolution, which was read the first and second time, and according to rule, laid on the table for one day.

Resolved by the Senate and House of Representatives of the State of Michigan, That a committee of five on the part of the House, and three on the part of the Senate, be appointed to examine into the affairs of the chartered banks of the city of Detroit, and to report to both houses with all convenient speed, the result of their investigation.

The rule being suspended, said resolution was taken up for consideration.

Mr. Crane moved to amend by adding the words "and that said committee have power to send for persons and papers."

Mr. Butler moved to postpone the consideration of said resolution and amendment indefinitely.

Mr. McClelland then withdrew the resolution.

Mr. Buckbee moved that the committee appointed to investigate into the condition of the Farmers' and mechanics' bank, and Michigan state bank, be discharged from the further consideration of the subject referred to them, which was decided by yeas and nays, in the negative, as follows:

YEAS.

Mr. Adams,
Mr. Buel,
Mr. Beaufait,
Mr. Buckbee,
Mr. Charter,
Mr. Doty,
Mr. Decker,

Mr. Gantt,
Mr. Hotchkiss,
Mr. Lancaster,
Mr. Levake,
Mr. McClelland,
Mr. Pray,
Mr. Poucher,

Mr. Risdon,
Mr. H. Smith,
Mr. Thompson,
Mr. Wixom,
Mr. Wakefield,
Mr. Wadham,
Mr. Speaker, 21

NAYS.

Mr. Ball,	Mr. Goodman,	Mr. Odell,
Mr. Burke,	Mr. Gidley,	Mr. Payne;
Mr. Butler,	Mr. J. M. Howard,	Mr. Spafford,
Mr. Cook,	Mr. Kellogg,	Mr. Sheldon,
Mr. Cooley,	Mr. Lacey,	Mr. J. R. Smith,
Mr. Crane,	Mr. Lane,	Mr. Vickery,
Mr. Draper,	Mr. Montgomery,	Mr. Williams, 21

On motion of Mr. Wakefield, the House took up for consideration a bill from the Senate, entitled "A bill to vacate a part of the village plat of Grand Traverse, and for other purposes," together with an amendment made thereto by the committee on banks and incorporations; and the question being upon concurring in said amendment, viz: to strike out section three, it was non-concurred in.

Said bill was then read the third time and passed.

The House then resolved itself into a committee of the whole, Mr. McClelland in the chair, upon bill number eighty-six, entitled "A bill to impose certain duties on the several county commissioners, and for other purposes," and after some time spent thereon, the committee rose, and through their chairman reported the same back to the House with sundry amendments, which were concurred in.

Mr. Gidley moved further to amend said bill by striking out in section two, line five, after the word "penalty," the word "of," and inserting the words "not exceeding."

On motion of Mr. Kellogg, the blank in section eighteen, was filled with the words "first Monday of July."

Said bill was then ordered to be engrossed for a third reading.

The rule being suspended, said bill entitled as above, was read a third time and passed.

The House then resolved itself into a committee of the whole, Mr. Cook in the chair, upon bill number eighty-two, entitled "A bill regulating the sale of real estate of persons deceased, in certain cases," and after some time spent therein, the committee rose, and through their chairman reported the same to the House without amendment.

Mr. Adams moved to amend by adding the following proviso at the end of the second section: "Provided, That in all cases of

a sale as aforesaid, a conveyance thereof by the executor or administrator, shall not be valid, unless the judge of probate shall endorse on the deed his approval of such sale and conveyance, and that no such sale shall be made on a longer credit than three years."

Said bill was then ordered to be engrossed for a third reading.

The rule being suspended, the engrossed bill entitled as above, was read the third time and passed.

The following message from the Executive, was received through C. C. Jackson, Esq. his private secretary :

To the House of Representatives :

I have this day approved and filed in the office of the Secretary of State, the following acts, viz: "An act relative to firemen," "An act to authorize the loan of a certain sum of money to Be-thuel Farrand, to aid in manufacturing silk," "An act releasing to the United States fourteen sections on the Niles, and sections twenty-five and thirty-six on the Nottawassepe reserves, upon certain conditions," "An act to incorporate the village of Allegan," "An act to amend an act entitled 'An act to incorporate the mechanics' society of the city of Detroit,'" "An act to authorize the erection of certain dams therein named."

STEVENS T. MASON.

March 20, 1838.

The House then took up for a third reading the engrossed bill entitled "A bill to authorize the laying out and establishing of certain state roads," when Mr. Wakefield moved to amend section five by striking out the words "or Corunna," in line three, and to fill the blank in line four, with the names of "Benj. O. Williams, Robert F. Stage, and Rufus W. Stevens," pending which motion, the House adjourned.

AFTERNOON SESSION.

The House met pursuant to adjournment.

The roll having been called,

The following petitions were presented : By Mr. Henry Smith, for the organization of a town. By Mr. Kellogg, to change the name of a certain township, which were referred to the committee on towns and counties.

The House then took up the consideration of the unfinished business of the morning, viz : "A bill to organize certain townships."

The question being upon the amendment offered by Mr. Wakefield, to strike out "or Corunna," and fill the blank in section five with the names of "Benjamin O. Williams, Robert F. Stage and Rufus W. Stevens," it was decided, by yeas and nays, in the negative as follows:

YEAS.

Mr. Adams,	Mr. Draper,	Mr. Wixom,
Mr. Ball,	Mr. Gant,	Mr. Wadham,
Mr. Crane,	Mr. Lancaster,	Mr. Speaker,
Mr. Decker,	Mr. Montgomery,	

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NAYS.

Mr. Burke,	Mr. J. M. Howard,	Mr. Odell,
Mr. Bement,	Mr. J. Howard,	Mr. Payne,
Mr. Beaufait,	Mr. Hotchkiss,	Mr. Poucher,
Mr. Butler,	Mr. Kellogg,	Mr. Risdon,
Mr. Cook,	Mr. King,	Mr. H. Smith,
Mr. Cooley,	Mr. Kent,	Mr. Spafford,
Mr. Charter,	Mr. Lacey,	Mr. Sheldon,
Mr. Dorsey,	Mr. Lane,	Mr. J. R. Smith,
Mr. Doty,	Mr. Levake,	Mr. Thompson,
Mr. Goodman,	Mr. McClelland,	Mr. Vickery,
Mr. Gidley,	Mr. Moran,	

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Mr. Wakefield moved to amend by striking out section five of said bill, which was decided, by yeas and nays, in the negative, as follows :

YEAS.

Mr. Adams,	Mr. Draper,	Mr. Poucher,
Mr. Ball,	Mr. Gant,	Mr. Wakefield,
Mr. Crane,	Mr. Lancaster,	Mr. Wixom,
Mr. Doty,	Mr. McClelland,	Mr. Speaker,
Mr. Decker,	Mr. Montgomery,	

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NAYS.

Mr. Burke,	Mr. J. M. Howard,	Mr. Payne,
Mr. Bement,	Mr. J. Howard,	Mr. Risdon,
Mr. Beaufait,	Mr. Hotchkiss,	Mr. H. Smith,
Mr. Butler,	Mr. Kellogg,	Mr. Spafford,
Mr. Cook,	Mr. King,	Mr. Sheldon,
Mr. Cooley,	Mr. Lacey,	Mr. J. R. Smith,
Mr. Charter,	Mr. Lane,	Mr. Thompson,
Mr. Dorsey,	Mr. Levake,	Mr. Vickery,
Mr. Goodman,	Mr. Moran,	Mr. Wadham,
Mr. Gidley,	Mr. Odell,	

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Mr. Crane moved to strike out section twelve, and to strike out in section seven, the words "Benjamin Davis and Amos A. Steel," and insert "Solomon Sutherland and Justus J. Bennett," which was decided in the affirmative.

Mr. Risdon moved further to amend by adding the following to stand as section twelve: "There shall be laid out and established a state road from Granville, in the county of Kent, on the most eligible route on the south side of Grand river, to Grand Havre, in the county of Ottawa, and C. B. Albee, Nathan Troop, and Thomas H. White be, and they are hereby, appointed commissioners for that purpose," which was decided in the affirmative; said bill was then read a third time and passed.

The Chair announced a message from the Senate, in the words following:

Mr. SPEAKER—In pursuance of the rules of the Senate, I herewith transmit bills, which have passed the Senate, entitled "A bill for the relief of the several school districts in this state," and "A bill to lay out and establish certain state roads, and for other purposes." I also herewith return, with an amendment made thereto by the Senate, the bill entitled "A bill to amend an act entitled 'An act to organize and regulate banking associations, and for other purposes' and to suspend the operation of the same," and the resolution entitled "A joint resolution relative to publishing the militia and school acts," with amendments made thereto by the Senate, in which bills and amendments the concurrence of the House of Representatives is respectfully requested.

The bill transmitted from the Senate, entitled "A bill for the relief of the several school districts in this state," was taken up, read the first and second times, and committed to the committee on education.

The bill transmitted from the Senate, entitled "A bill to lay out and establish certain state roads, and for other purposes," was taken up, read a first and second times, and referred to the committee on roads and bridges.

The bill returned from the Senate, entitled "A bill to amend an act entitled 'An act to amend an act to organize and regulate banking associations, and for other purposes,' and to suspend the operations of the same;" together with an amendment made

thereto by the Senate, was taken up for consideration, and the question being upon concurring in the amendment, it was non-concurred in, by yeas and nays, as follows :

YEAS.

Mr. Adams,	Mr. Goodman,	Mr. Kent,
Mr. Buckbee,	Mr. Gidley,	Mr. Lancaster,
Mr. Cook,	Mr. J. Howard,	Mr. Moran,
Mr. Charter,	Mr. Hotchkiss,	Mr. Thompson,
Mr. Dorsey,	Mr. Kellogg,	Mr. Vickery,
Mr. Doty,		

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NAYS.

Mr. Ball,	Mr. McClelland,	Mr. Sheldon,
Mr. Butler,	Mr. Montgomery,	Mr. J. R. Smith,
Mr. Crane,	Mr. Payne,	Mr. Wakefield,
Mr. Gantt,	Mr. Poucher,	Mr. Wixom,
Mr. J. M. Howard,	Mr. Risdon,	Mr. Wadhamns,
Mr. Lane,	Mr. Spafford,	Mr. Speaker,
Mr. Levake,		

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The joint resolution, "relative to publishing militia and school acts," returned from the Senate, was taken up for consideration, and the amendment concurred in.

The bill from the Senate, entitled "A bill to alter the limits of the village of Constantine," was taken up, read a third time, and passed.

The bill from the Senate, entitled "A bill authorizing the building of a certain dam across the Shiawassee river, was then taken up, read a third time and passed.

The House then took up the bill "to incorporate the Tecumseh academy," and the question being upon concurring in the amendment made thereto by the committee on education, yiz : to insert after the word "academy" the words "shall have power to establish," it was concurred in.

Said bill was then read the third time and passed.

The House then took up for consideration the bill entitled "A bill to amend an act entitled 'An act to incorporate the village of Tecumseh.'"

Mr. Gantt moved to amend by striking out the second and third sections, which was negative.

Mr. Crane moved to lay said bill on the table, which was negatived.

Mr. Gant moved further to amend by adding the following to stand as section four:

"And that like privileges, as contained in the second and third sections of this act, be and they are hereby granted to all incorporated cities and villages in this state," which was agreed to.

Mr. Cook then moved further to amend by adding the following proviso to section third: "Provided, That nothing in this act contained, shall in anywise limit or restrain the operation of an act entitled 'An act to regulate the assessment and collection of state taxes,' or any amendment to said act," which was decided in the affirmative.

Said bill was then ordered to be engrossed for a third reading.

The House then took up for consideration, the bill entitled "A bill to incorporate the Cadmean seminary," and the question being upon the final passage, Mr. Kellogg moved to lay said bill on the table, which was decided in the affirmative.

Mr. J. M. Howard, from the committee on enrolment, reported as correctly enrolled, "An act relative to the state geological survey, and repealing an act entitled 'An act to provide for a geological survey of the state.'

On motion of Mr. Risdon, the bill entitled "A bill authorizing James H. Hanchett to build a dam across Coldwater river," was recommitted to the committee on roads and bridges.

The House then took up the resolution from the Senate, fixing the day of adjournment.

On motion of Mr. Butler, said resolution was then amended by striking out "the 12th day of March," and inserting "the 2d day of April."

Said resolution, as amended was then read a third time and passed.

On motion of Mr. Vickery,

Resolved, That bill number eighty-one "authorizing a loan of one hundred thousand dollars, for the relief of the Allegan and Marshall railroad company," be made the special order of the day for Thursday next.

On motion, the House adjourned.

Wednesday, March 21.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Thompson.

The roll having been called, and

The proceedings of yesterday having been read,

The following petitions were presented: By Mr. Kellogg, sundry petitions from citizens of Allegan and Kalamazoo counties, praying that the solvent banks under the safety fund system may be allowed to purchase a part of the state loan; referred to the select committee heretofore appointed by the Chair on that subject.

Mr. Buel, from the committee on the judiciary, to whom was referred a bill entitled "A bill to authorize the appointment of receivers in chancery, in vacation," reported the same back to the House without amendment; said bill was then laid on the table.

Also, from the same committee, to whom was referred a bill entitled "A bill to authorize the supervisors of Livingston county to borrow a certain sum of money," reported the same back to the House without amendment, which was laid on the table.

Also, from the same committee, to which was referred a bill entitled "A bill to amend an act entitled 'An act to organize the township of Hickory, and for other purposes,'" reported the same to the House without amendment, which was laid on the table.

Mr. J. M. Howard, from the committee on education, to whom was referred a bill entitled "A bill for the relief of the several school districts in this state," reported the same to the House, and recommended its passage, which was laid on the table.

Also, from the same committee, to whom was referred a communication from the executive, relative to a loan to the university of Michigan, reported thereon.

[See Document No. 49.]

Also reported a bill entitled "A bill appropriating a certain sum of money of the university fund, for the erection of a university building," which was read the first and second times and laid on the table.

Mr. Buckbee, from the committee on the judiciary, to whom was referred title seven, "Of the limitation of actions," reported the same back to the House without amendment, which was laid on the table.

Mr. Gant offered the following preamble and resolutions, which were laid on the table :

Whereas, the splendid system of internal improvements in the state of Michigan, adopted by her representatives in legislature assembled, at the city of Detroit, A. D. 1837, is in danger : and whereas, that system was a compromise between the north, south and centre interests of the people of Michigan : and whereas, said system was first projected and commenced by the democratic republican party of this state : and whereas, the governor and lieutenant governor of this state, pledged themselves in writing and verbally in favor of said system of internal improvement before their late election : and whereas, the said system is considered by the democratic republican people of Michigan as a party measure : and whereas, a large portion of the federal members of the legislature of this state, and a few selfish and dissatisfied *professed* democrats, have lately held a secret caucus (not accessible to all,) in this city, and did then and there agree one with the other, or attempt to do so, to defeat the fond expectations of the people, by resolving or attempting to resolve, to defeat the proper and rightful interests of the people of the northern, southern and western divisions of Michigan, with regard to the appropriations upon the northern railroad, the Clinton and Kalamazoo canal and the southern railroad, and other works of great importance to two-thirds of the population of the state of Michigan : and whereas, the intention of the enemies of our system of internal improvement, as we verily believe, is to make an extravagant expenditure or appropriation on the Detroit and St. Joseph railroad, and to disrespet the interests of all other portions of the state : and whereas, we verily believe that the object of the said secret caucus was for the purpose of furthering the views and advancing the interests of the federal party in Michigan : and whereas, we believe that any attempt on the part of any individual or individuals to, in the least degree, retard the onward progress of all of the splendid works now contemplated to be constructed by the state of Michigan, is a dark and injurious stab at the principles of the executive, the democracy of Michigan, and will, if furthered, destroy the best interests of the people of this state : and whereas, it is questionable which of the great works of internal improvement already adopted by the state, will yield, when completed, the greatest annual re-

venue; and whereas, the chairman of said secret caucus was a federalist, and is opposed to the democracy and to the system of internal improvement, which, by our constituents, is held as the pride and boast of our young, prosperous and enterprising state; therefore,

Resolved, That we do hereby pledge ourselves, as members of the House of Representatives, at this present session, to vote for an appropriation bill, equal in its provisions, giving to the north, the centre and the south, such an amount only as they are entitled to by their population.

Resolved, To effect so desirable and equitable a consummation, we invite all the friends of internal improvement, on the broad scale proposed, whether democrat or whig, to unite and save from abandonment, all of the works now contemplated to be constructed by the state of Michigan.

Mr. Gantt, according to notice given and leave granted, introduced a bill entitled "A bill for the relief of the safety fund banks," which was read the first and second times, and referred to the committee on banks and incorporations.

Mr. Buel moved that so much of the revised code as had been submitted by the reviser for the action of this legislature, be made the special order of the day for Friday next, and for each succeeding day thereafter, until the same is disposed of, which was decided in the affirmative.

The House then resumed in committee of the whole, Mr. Montgomery in the chair, the consideration of bill number fifty-five, entitled "A bill to provide for the continuation of the improvements of the state of Michigan, and after some time spent thereon, the committee rose, and through their chairman reported the same to the House with sundry amendments, which were concurred in.

Mr. Payne moved to amend by striking out the words "for making the northern railroad, fifty thousand dol'ars."

Mr. Wadhams moved to amend the amendment by striking out the words "fifty thousand dollars," and inserting "one hundred thousand dollars," in lieu thereof.

Mr. Gidley called for a division of the question.

Mr. Henry Smith called for the previous question, when the question being "shall the main question be now put,"

Mr. J. M. Howard moved to lay said bill on the table, which was decided, by yeas and nays, in the affirmative, as follows:

YEAS.

Mr. Adams,	Mr. Dorsey,	Mr. Odell,
Mr. Bali,	Mr. Doty,	Mr. Pray,
Mr. Burke,	Mr. Goodman,	Mr. Payne,
Mr. Bement,	Mr. Gidley,	Mr. Poucher,
Mr. Buel,	Mr. J. M. Howard,	Mr. Risdon,
Mr. Beaufuit,	Mr. J. Howard,	Mr. Spafford,
Mr. Buckbee,	Mr. Kellogg,	Mr. L. R. Smith,
Mr. Champlin,	Mr. King,	Mr. Vickery,
Mr. Cook,	Mr. Lacey,	Mr. Williams,
Mr. Cooley,	Mr. Lane,	Mr. Speaker, 30

NAYS.

Mr. Butler,	Mr. Kent,	Mr. H. Smith,
Mr. Crane,	Mr. Lancaster,	Mr. Sheldon,
Mr. Charter,	Mr. Levake.	Mr. Thompson,
Mr. Decker,	Mr. McClelland,	Mr. Wakefield,
Mr. Draper,	Mr. Moran,	Mr. Wixon,
Mr. Gantt.	Mr. Montgomery,	Mr. Wadham, 19
Mr. Hotchkiss,		

Mr. Crane gave notice that he should, at some future day, ask leave to introduce a bill authorizing Lemuel Brown to build a dam across Shiawassee river, on section number five, township five north, of range four east.

Mr. Champlin gave notice that he should, at some future day, ask leave to bring in a bill to incorporate a company to build a railroad from Jonesville, in Hillsdale county, to Jackson, in Jackson county.

Also to authorize Phineas Swartout, a minor, to convey certain real estate lying in Hillsdale county.

The Chair announced a communication from Wm. A. Fletcher, reviser of the laws, transmitting "An act to repeal the acts consolidated in the revised statutes," which was laid on the table and ordered to be printed.

The Chair announced a communication from the president and cashier of the Farmers' and mechanics' bank, which was, on motion of Mr. Butler, ordered to be placed on the journals, being in the words following:

To the Honorable the Speaker

of the House of Representatives of the State of Michigan:

SIR—Having learned that the body over which you preside

had appointed a committee, one of whose duties was that of examining into the condition or proceedings of the Farmers' and mechanics' bank of Michigan, and that doubt had been expressed as to the legal right of such committee to enter upon the proposed investigation, we have the honor to state that the directors and officers of the bank are not only ready to afford every facility to a thorough examination of its affairs and its acts, of whatever nature, but regard such examination as due to its character, which has been thus publicly assailed.

Very respectfully

Your obedient servants,

JOHN BIDDLE, *President.*

JOHN A. WELLS, *Cashier.*

Detroit, March 20, 1838.

The Chair announced a message from the Senate in the words following:

Mr. SPEAKER—In pursuance of the rules of the Senate, I here-with return without amendment, the bill entitled "A bill relative to the appointment of collectors of tolls, and prescribing their duties."

The House then resolved itself into a committee of the whole, Mr. Buckbee in the chair, upon bill number ninety, entitled "A bill to incorporate the village of Belvidere," and after some time spent thereon, the committee rose, and through their chairman, reported the same to the House, with sundry amendments, which were concurred in.

On motion of Mr. Crane, said bill was referred to the committee on the judiciary.

The House then resolved itself into a committee of the whole, Mr. Spafford in the chair, upon bill number sixty-three, entitled "A bill concerning fugitives from service," together with the amendments made thereto by the committee on the judiciary, and after some time spent thereon, the committee rose, and through their chairman, reported the same to the House, with sundry amendments, which were concurred in.

Said bill was then ordered to be engrossed for a third reading.

The House then took up for consideration the bill from the Senate, entitled "A bill authorizing the building of a state penitentiary."

The rule being suspended, said bill was then read a third time and passed.

The House then resolved itself into a committee of the whole, Mr. Wadhams in the chair, upon bill number ninety-one, entitled "A bill to provide for an ordnance department," and after some time spent thereon, the committee rose, and through their chairman, reported the same to the House with an amendment, which was non-concurred in.

Mr. Henry Smith moved to amend section six, by striking out the words "an arsenal," and inserting the words "four arsenals, to cost each not exceeding two thousand five hundred dollars, at the following places : " which was negatived.

Mr. Gantt moved to amend, by inserting after the word "arsenal," in section six, line two, the word "Pontiac."

Mr. Gidley moved to insert "Ann Arbor," which was decided, by yeas and nays, in the negative, as follows :

YEAS.

Mr. Dorsey,	Mr. Kent,	Mr. H. Smith,	
Mr. Gidley,	Mr. Pray,	Mr. Spafford,	6

NAYS.

Mr. Adams,	Mr. J. Howard,	Mr. Payne,
Mr. Ball,	Mr. Hotchkiss,	Mr. Poucher,
Mr. Cook,	Mr. Kellogg,	Mr. Risdon,
Mr. Cooley,	Mr. King,	Mr. J. R. Smith,
Mr. Crane,	Mr. Lacey,	Mr. Thompson,
Mr. Charter,	Mr. Lancaster,	Mr. Wakefield,
Mr. Doty,	Mr. McClelland,	Mr. Wixom,
Mr. Decker,	Mr. Moran,	Mr. Williams,
Mr. Draper,	Mr. Montgomery,	Mr. Wadhams,
Mr. Gantt,	Mr. Odell,	Mr. Speaker,
Mr. J. M. Howard,		

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Mr. Butler moved to amend the amendment of Mr. Gantt, by inserting "Mt. Clemens," which was negatived.

The question recurring upon the amendment of Mr. Gantt, it was decided, by yeas and nays, in the negative, as follows :

YEAS.

Mr. Adams,	Mr. Draper,	Mr. Wakefield,
Mr. Ball,	Mr. Gantt,	Mr. Wixom,
Mr. Crane,	Mr. Poucher,	Mr. Wadhams,

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Mr. Dorsey,	Mr. J. R. Smith,	Mr. Speaker,	
Mr. Decker,	Mr. Thompson,		14

NAYS.

Mr. Burke,	Mr. J. M. Howard,	Mr. McClelland,
Mr. Buel,	Mr. J. Howard,	Mr. Moran,
Mr. Butler,	Mr. Hotchkiss,	Mr. Montgomery,
Mr. Buckbee,	Mr. Kellogg,	Mr. Ouell,
Mr. Champlin,	Mr. Kent,	Mr. Payne,
Mr. Cook,	Mr. King,	Mr. Risdon,
Mr. Cooley,	Mr. Lacey,	Mr. Spafford,
Mr. Charter,	Mr. Lane,	Mr. Sheldon,
Mr. Doty,	Mr. Lancaster,	Mr. Williams,
Mr. Gidley,		

28

Mr. Risdon moved to strike out section six, which was decided, by yeas and nays, in the negative, as follows :

YEAS.

Mr. Adams,	Mr. Kent,	Mr. Risdon,
Mr. Ball,	Mr. King,	Mr. Sheldon,
Mr. Buel,	Mr. Lacey,	Mr. Thompson,
Mr. Dorsey,	Mr. Lancaster,	Mr. Wakefield,
Mr. Doty,	Mr. McClelland,	Mr. Wixom,
Mr. Decker,	Mr. Moran,	Mr. Williams,
Mr. Gantt,	Mr. Pray,	Mr. Wadham,
Mr. Hotchkiss,	Mr. Poucher,	

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NAYS.

Mr. Burke,	Mr. Draper,	Mr. Montgomery,
Mr. Butler,	Mr. Gidley,	Mr. Odell,
Mr. Buckbee,	Mr. J. M. Howard,	Mr. Payne,
Mr. Champlin,	Mr. J. Howard,	Mr. H. Smith,
Mr. Cook,	Mr. Kellogg,	Mr. J. R. Smith,
Mr. Cooley,	Mr. Lane,	Mr. Speaker,
Mr. Crane,		

19

Mr. Gantt moved to strike out all after the enacting clause.

Mr. Gidley moved to lay said bill on the table, which was decided in the affirmative.

On motion, the House adjourned.

AFTERNOON SESSION.

The House met pursuant to adjournment.

The roll having been called,

Mr. J. M. Howard presented sundry claims of John Gibson ; referred to the committee on claims.

Mr. Cook offered the following resolution :

Resolved, That the appropriation bill be the special order of the day for Tuesday next, and every day thereafter until the same shall have been disposed of.

Mr. Crane moved to lay said resolution on the table, which was decided by yeas and nays, in the negative, as follows:

YEAS.

Mr. Adams,	Mr. Draper,	Mr. Montgomery,
Mr. Ball,	Mr. Gantt,	Mr. H. Smith,
Mr. Butler,	Mr. Kent,	Mr. Thompson,
Mr. Crane,	Mr. Lancaster,	Mr. Wakefield,
Mr. Charter,	Mr. Levake,	Mr. Wixom,
Mr. Dorsey,	Mr. McClelland,	Mr. Williams,
Mr. Decker,	Mr. Moran,	Mr. Wadhams, 21

NAYS.

Mr. Bement,	Mr. Gidley,	Mr. Odell,
Mr. Buel,	Mr. J. M. Howard,	Mr. Pray,
Mr. Buckbee,	Mr. J. Howard,	Mr. Poucher,
Mr. Champlin,	Mr. Hotchkiss,	Mr. Risdon,
Mr. Cook,	Mr. Kellogg,	Mr. Spafford,
Mr. Cooley,	Mr. King,	Mr. J. R. Smith,
Mr. Doty,	Mr. Lacey,	Mr. Vickery,
Mr. Goodman,	Mr. Lane,	Mr. Speaker, 24

The question recurring on the passage of said resolution, it was decided in the affirmative, as follows :

YEAS.

Mr. Bement,	Mr. Gidley,	Mr. Odell,
Mr. Buel,	Mr. J. M. Howard,	Mr. Pray,
Mr. Buckbee,	Mr. J. Howard,	Mr. Payne,
Mr. Champlin,	Mr. Kellogg,	Mr. Poucher,
Mr. Cook,	Mr. King,	Mr. Risdon,
Mr. Cooley,	Mr. Lacey,	Mr. Spafford,
Mr. Dorsey,	Mr. Lane,	Mr. J. R. Smith,
Mr. Doty,	Mr. Levake,	Mr. Vickery,
Mr. Goodman,	Mr. Moran,	Mr. Speaker, 27

NAYS.

Mr. Adams,	Mr. Gantt,	Mr. H. Smith,
Mr. Bill,	Mr. Hotchkiss,	Mr. Sheldon,
Mr. Butler,	Mr. Kent,	Mr. Thompson,
Mr. Crane,	Mr. Lancaster,	Mr. Wakefield,
Mr. Charter,	Mr. McClelland,	Mr. Wixom,
Mr. Decker,	Mr. Montgomery,	Mr. Wadhams,
Mr. Draper,		19

The House then took up the bill from the Senate, entitled "A bill to authorize the appointment of receivers in chancery in vacation," which was read a third time and passed.

Mr. Risdon, from the committee on roads and bridges, to whom was referred a bill from the Senate, entitled "A bill to lay out and establish certain state roads and for other purposes," reported the same to the House with an amendment; said bill was laid on the table.

The House then resolved itself into a committee of the whole, Mr. Gidley in the chair, upon a bill entitled "A bill to incorporate the Cadmean seminary," and after some time spent therein, the committee rose, and through their chairman, reported the same back to the House without amendment.

The question then being upon the engrossment of the bill for a third reading, it was decided in the negative.

The House then took up bill seventy-nine, making appropriations to defray the expenses of the militia, and for repairing the state arms.

Mr. J. Howard moved to amend by inserting after the word "purpose," in line five, the words "to be distributed by the quartermaster general of the state," which was decided in the affirmative.

Said bill was then ordered to be engrossed for a third reading.

The rule being suspended, said bill was then read the third time and passed.

On motion, the House adjourned.

Thursday, March 22.

The House met pursuant to a adjournment.

Prayer by the Rev. Mr. Thompson.

The roll having been called, there were absent, Messrs. Bowman, Gantt and Levake.

The proceedings of yesterday having been read,

Leave of absence was granted to Mr. Beaufait, for one day, and to Mr. Gantt, until Monday next.

Mr. Draper presented a petition of sundry inhabitants of the counties of Genesee and Lapeer, praying an appropriation for the improvement of Flint river; referred to the committee on internal improvement.

Mr. J. M. Howard offered the following resolution:

Resolved, That the preamble and resolution, submitted to this House and laid on the table on the 21st of March instant, respecting internal improvement, charging that a secret combination entered into by members of this House against such improvements in this state, contains assertions unfounded in fact, having in view no worthy practical purpose; and that said preamble contains dishonorable reflections on members of this House, and is unworthy of its consideration.

Mr. Buckbee moved to amend by expunging and drawing black lines around the resolution of the gentleman from Oakland.

On motion of Mr. J. M. Howard, said resolution was laid on the table.

Mr. Crane, according to notice given and leave granted, introduced a bill entitled "A bill authorizing the building of a dam across the Shiawassee river," which was read the first and second times, and referred to the committee on roads and bridges.

Mr. Champlin, according to notice given and leave granted, introduced a bill entitled "A bill to authorize Phineas Swartout to convey a certain piece of land therein named," which was read the first and second times and referred to the committee on the judiciary.

The House then resolved itself into a committee of the whole, Mr. Moran in the chair, upon the special order of the day, viz: the bill entitled "A bill authorizing a loan of one hundred thousand dollars for the relief of the Allegan and Marshall railroad company," and after some time spent therein, the committee rose, and through their chairman, reported the same back to the House with sundry amendments, which were concurred in.

On motion of Mr. Wakefield, said bill was laid on the table.

The House then resumed in committee of the whole, Mr. Buel in the chair, the consideration of the bill from the Senate, entitled

"A bill to incorporate the Lake Huron and Detroit railroad company," and after some time spent thereon, the committee rose, and through their chairman reported the same to the House with sundry amendments, which were concurred in.

Mr. J. M. Howard offered the following proviso, viz :

"Sec . The said road shall be laid out and pass through the village of Palmer in the county of St. Clair," which was negatived.

Mr. J. M. Howard moved to lay said bill on the table, which was negative.

Said bill was then ordered to be engrossed for a third reading.

The rule having been suspended, said bill was then read a third time, and the question being on its final passage, it being a two-third vote, it was decided by yeas and nays, in the negative, as follows :

YEAS.

Mr. Adams,	Mr. Hotchkiss,	Mr. Spafford,	23
Mr. Ball,	Mr. Kent,	Mr. Sheldon,	
Mr. Buckbee,	Mr. King,	Mr. Thompson,	
Mr. Crane,	Mr. Lancaster,	Mr. Wakefield,	
Mr. Dorsey;	Mr. McClelland,	Mr. Wixom,	
Mr. Decker,	Mr. Pray,	Mr. Wadham,	
Mr. Draper,	Mr. Risdon,	Mr. Speaker,	
Mr. J. Howard,	Mr. H. Sinit,		

NAYS.

Mr. Burke,	Mr. Gidley,	Mr. Odell,	19
Mr. Buel,	Mr. J. M. Howard,	Mr. Payne,	
Mr. Butler,	Mr. Lacey,	Mr. Poucher,	
Mr. Champlin,	Mr. Lane,	Mr. J. R. Smith,	
Mr. Cook,	Mr. Moran,	Mr. Vickery,	
Mr. Charter,	Mr. Montgomery,	Mr. Williams,	
Mr. Goodman,			

The House then took up for consideration, the bill entitled "A bill to incorporate the Mottville and White Pigeon railroad company," and the question being upon the final passage of said bill, it being a two-third vote, it was decided by yeas and nays, in the negative, as follows :

YEAS.

Mr. Adams,	Mr. Hotchkiss,	Mr. H. Smith,
Mr. Ball,	Mr. Kent,	Mr. Spafford,
Mr. Charter,	Mr. King,	Mr. Sheldon,
Mr. Dorsey,	Mr. Lancaster,	Mr. Thompson,
Mr. Doty,	Mr. McClelland,	Mr. Wakefield,
Mr. Decker,	Mr. Pray,	Mr. Wixom,
Mr. Draper,	Mr. Poucher,	Mr. Wadham,
Mr. Gidley,	Mr. Risdon,	Mr. Speaker,
Mr. J. Howard,		25

NAYS.

Mr. Burke,	Mr. J. M. Howard,	Mr. Odell,
Mr. Buel,	Mr. Lacey,	Mr. Payne,
Mr. Champlin,	Mr. Lane,	Mr. J. R. Smith,
Mr. Cook,	Mr. Moran,	Mr. Vickery,
Mr. Goodman,	Mr. Montgomery,	Mr. Williams,
		15

The Chair announced a communication from the Executive, through C. C. Jackson, Esq. his private secretary:

To the House of Representatives :

I am constrained by a sense of public duty to call the attention of the legislature to the importance of providing some proper agency for the management of the state loans, already authorized or hereafter to be authorized by the state. At present the exclusive and unrestricted negotiation and management of loans, as well as the sale of all exchanges derived from that source, are left to the discretion of the Governor of the state. This is wrong in principle, as it gives to the control of one individual, millions of the public money, without any corresponding check or responsibility. But in addition to the objection on the ground of principle, it will readily occur to you, that the public interest demands that this important branch of our state policy, the management of its finances, should receive the undivided attention of a distinct department organized for that purpose. It is impossible for the executive to bestow that attention to the subject which its importance demands, without the neglect of other imperious duties. But whilst as an officer of the state, I am willing to discharge any duty imposed upon me by the public, I feel it due to myself, that I should not incur the heavy responsibility of controlling the loans of the state when they can receive but a limited portion of my time and services. I would therefore earnestly recommend the

creation of a board of loan commissioners, (the members to be chosen by the legislature,) to whom the negotiation and management of all loans shall be intrusted.

STEVENS T. MASON.

March 22, 1838.

The above communication, was, on motion of Mr. J. Howard, referred to a select committee of three : whereupon the Chair announced Messrs. J. Howard, Gidley and Wakefield, as said committee.

Mr. Cook offered the following resolution :

Resolved. That the bank commissioners be requested to report to this House the result of their investigations into the condition of the several banking institutions of this state.

Mr. McClelland moved to amend the same by adding at the end of the same, the words "if in accordance with the interests of the state."

On motion of Mr. Payne, said resolution was laid on the table.

The House then resolved itself into committee of the whole, Mr. Henry Smith in the chair, upon bill number sixty-three, making judgments liens on real estate, together with the amendments made thereto by the committee on the judiciary, and after some time spent thereon, the committee rose, and through their chairman, reported the same to the House.

The question being upon concurring in the amendments made in committee of the whole,

On motion of Mr. McClelland, said bill was laid on the table.

On motion, the House adjourned.

AFTERNOON SESSION.

The House met pursuant to adjournment.

The roll having been called,

Mr. Cook presented sundry claims from Lemuel Goodell ; referred to the committee on claims.

The Chair announced the following message from the Executive :

To the House of Representatives :

I have this day approved and filed in the office of the Secretary of State, the following acts, viz : "An act to prevent the circula-

tion of bills or tickets of a less denomination than one dollar," "An act to authorize the appointment of receivers in chancery in vacation," "An act relative to the state geological survey, and repealing an act entitled 'An act to provide for a geological survey of the state,'" "An act to amend an act entitled an act for the relief of the inhabitants of Penn township," "An act to regulate the terms of the circuit courts in the counties of Livingston and Monroe," "An act to vacate part of the village of Grand Traverse, and for other purposes," "An act to alter the limits of the village of Constantine," "An act to authorize the building of the state penitentiary," and "A joint resolution relative to the publication of certain laws."

STEVENS T. MASON.

March 22, 1838.

Mr. Butler moved a reconsideration of the vote taken upon the final passage of the bill entitled "A bill to incorporate the Lake Huron and Detroit railroad company," which was decided in the affirmative.

Mr. Wadham moved to amend by striking out "Detroit," wherever it occurs in said bill, and inserting "Romeo," in lieu thereof.

Mr. J. M. Howard moved to amend the amendment, by striking out "Romeo," and inserting "Palmer," which was negatived.

The question recurring upon the amendment, it was decided, by yeas and nays, in the affirmative, as follows:

YEAS.

Mr. Adams,	Mr. Gidley,	Mr. Risdon,
Mr. Ball,	Mr. J. Howard,	Mr. Spafford,
Mr. Bement,	Mr. Hotchkiss,	Mr. Sheldon,
Mr. Beaufait,	Mr. Kellogg,	Mr. Thompson,
Mr. Butler,	Mr. Kent,	Mr. Wakefield,
Mr. Chaunplin,	Mr. King,	Mr. Wixom,
Mr. Crane,	Mr. Lane,	Mr. Wadham,
Mr. Decker,	Mr. McClelland,	Mr. Speaker,
Mr. Draper,	Mr. Poucher,	

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NAYS.

Mr. Burke,	Mr. Goodman,	Mr. Odell,
Mr. Buel,	Mr. J. M. Howard,	Mr. Payne,
Mr. Cook,	Mr. Lacey,	Mr. H. Smith,
Mr. Cooley	Mr. Montgomery,	Mr. J. R. Smith,
Mr. Doty,		

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The question being upon the final passage of said bill, it being a two-third bill, was decided by yeas and nays, in the negative, as follows:

YEAS.

Mr. Adams,	Mr. J. Howard,	Mr. H. Smith,
Mr. Ball,	Mr. Hotchkiss,	Mr. Spafford,
Mr. Beaufait,	Mr. Kellogg,	Mr. Sheldon,
Mr. Butler,	Mr. Kent,	Mr. Thompson,
Mr. Champlin,	Mr. King,	Mr. Wakefield,
Mr. Crane,	Mr. Lane,	Mr. Wixom,
Mr. Decker,	Mr. McClelland,	Mr. Wadham,
Mr. Draper,	Mr. Poucher,	Mr. Speaker,
Mr. Gidley,	Mr. Risdon,	

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NAYS.

Mr. Burke,	Mr. Doty,	Mr. Montgomery,
Mr. Bement,	Mr. Goodman,	Mr. Odell,
Mr. Buel,	Mr. J. M. Howard,	Mr. Payne,
Mr. Cook,	Mr. Lacey,	Mr. J. R. Smith,
Mr. Cooley,	Mr. Moran,	

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The House then took up the bill entitled "A bill to amend an act entitled 'An act to organize the township of Hickory, and for other purposes,'" and the question being upon the final passage of said bill, it was decided, by yeas and nays, in the affirmative, as follows:

YEAS.

Mr. Adams,	Mr. Hotchkiss,	Mr. Poucher,
Mr. Ball,	Mr. Kent,	Mr. Risdon,
Mr. Bement,	Mr. King,	Mr. H. Smith,
Mr. Buel,	Mr. Lacey,	Mr. Spafford,
Mr. Beaufait,	Mr. Lane,	Mr. Sheldon,
Mr. Butler,	Mr. McClelland,	Mr. Thompson,
Mr. Draper,	Mr. Moran,	Mr. Wixom,
Mr. Gidley,	Mr. Odell,	Mr. Wadham,
Mr. J. Howard,		

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NAYS.

Mr. Burke,	Mr. J. M. Howard,	Mr. J. R. Smith,
Mr. Crane,	Mr. Kellogg,	Mr. Wakefield,
Mr. Decker,	Mr. Montgomery,	Mr. Speaker,
Mr. Goodman,	Mr. Payne,	

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The House then resolved itself into a committee of the whole, Mr. Kent in the chair, upon the bill from the Senate, entitled "A bill to authorize the board of supervisors of Livingston county

to borrow a certain sum of money; after some time spent therein, the committee rose, and through their chairman reported the same back to the House with an amendment.

The question being upon concurring with the amendment made in committee of the whole, Mr. Bement moved to postpone the consideration of said bill indefinitely, which was decided, by yeas and nays, in the affirmative, as follows:

YEAS.

Mr. Adams,	Mr. Doty,	Mr. Lane,
Mr. Ball,	Mr. Goodman,	Mr. McClelland,
Mr. Burke,	Mr. Gidley,	Mr. Odell,
Mr. Bement,	Mr. J. M. Howard,	Mr. Payne,
Mr. Buel,	Mr. J. Howard,	Mr. Poucher,
Mr. Beaufait,	Mr. Kellogg,	Mr. Spafford,
Mr. Butler,	Mr. Kent,	Mr. J. R. Smith,
Mr. Champlin,	Mr. King,	Mr. Vickery,
Mr. Cooley,	Mr. Lacey,	Mr. Speaker, 27

NAYS.

Mr. Cook,	Mr. Lancaster,	Mr. Sheldon,
Mr. Crane,	Mr. Moran,	Mr. Thompson,
Mr. Decker,	Mr. Montgomery,	Mr. Wakefield,
Mr. Draper,	Mr. Risdon,	Mr. Wixom, 13
Mr. Hotchkiss,		

Mr. J. M. Howard, from the committee on enrolment, reported as correctly enrolled "An act further to establish the location of the state southern railroad."

Mr. Crane gave notice that at some future day he should ask leave to introduce a bill allowing the people of Livingston county to vote whether they will borrow a sum of money to build county buildings.

The House then took up the bill from the Senate, entitled "A bill to lay out and establish certain state roads, and for other purposes," together with an amendment made thereto by the committee on roads and bridges.

The question being upon concurring in the amendment, it was decided in the affirmative.

The rule having been suspended, said bill was read a third time and passed.

The House then resolved itself into a committee of the whole, Mr. Wixom in the chair, upon bill number eighty-seven, entitled

"A bill to incorporate the village of Clinton," and after some time spent therein, the committee rose, and through their chairman reported the same to the House with sundry amendments, which were concurred in.

Said bill was then ordered to be engrossed for a third reading.

The rule having been suspended, said bill was read a third time and passed.

The House then resolved itself into a committee of the whole, Mr. Levake in the chair, upon bill number ninety-two, entitled "A bill to incorporate the mechanical association of the city of Saginaw," and after some time spent therein, the committee rose, and through their chairman reported the same to the House, with sundry amendments, which were concurred in.

Said bill was then ordered to be engrossed for a third reading.

Mr. Buel moved a reconsideration of the vote taken upon the passage of the bill entitled "A bill to incorporate the Mottville and White Pigeon railroad company," which was decided in the affirmative.

Mr. Buel moved to amend said bill by adding the following proviso to section sixteen: "And provided further, that by reason of any thing herein contained, the company hereby incorporated shall not be allowed to run their cars on any of the railroads of the state without the consent of the legislature," which was decided in the affirmative.

On motion of Mr. Moran, said bill was amended by adding the following to stand as section twenty-seven, viz: "That the stockholders or directors, and all others interested in this bill shall not apply to the state for any assistance hereafter to complete their railroad."

The bill then passed, by yeas and nays, as follows:

YEAS.

Mr. Adams,	Mr. J. M. Howard,	Mr. McClelland,
Mr. Ball,	Mr. Hotchkiss,	Mr. Moran,
Mr. Bement,	Mr. Kellogg,	Mr. Payne,
Mr. Buel,	Mr. Kent,	Mr. Poucher,
Mr. Butler,	Mr. King,	Mr. Risdon,
Mr. Cook,	Mr. Lacey,	Mr. Thompson,
Mr. Charter,	Mr. Lane,	Mr. Wixom,
Mr. Draper,	Mr. Lancaster,	Mr. Wadham,
Mr. Gidley,	Mr. Levake,	Mr. Speaker,

NAYS.

Mr. Burke, Mr. Goodinan, Mr. Odell,
Mr. Crane, Mr. Montgomery, Mr. J. R. Smith, 6

On motion of Mr. Henry Smith,

Resolved, That the commissioners of internal improvement be, and they are required to furnish the House a copy of the contract between the state of Michigan and the Havre branch railroad company, for taking the charter of said company.

The bill from the Senate, appointing commissioners to lay out and establish certain state roads, was read a third time and passed.

On motion, the House adjourned.

Friday, March 23.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Thompson.

The roll having been called,

Petitions presented : By Mr. Beaufait, from the board of supervisors of Wayne county ; referred to the committee on the judiciary. By Mr. Crane, for a canal from Howell to Lyons : referred to the committee on internal improvement. Also a petition to change the dividing line between Berrien and Oronoko ; referred to the committee on towns and counties.

The following message was received from the Executive, through C. C. Jackson, Esq. his private secretary :

To the House of Representatives :

I have this day approved and filed in the office of the Secretary of State, "An act further to establish the location of the state southern railroad."

STEVENS T. MASON.

March 22, 1868.

Mr. Risdon, from the committee on roads and bridges, to whom was referred a bill entitled "A bill authorizing the building of a dam across the Shiawassee river," reported the same back without amendment, which was then laid on the table.

Mr. Crane, from the committee on towns and counties, to

whom was referred a bill from the Senate, entitled "A bill to attach a part of the county of Sanilac for judicial purposes, to the county of St. Clair," reported the same to the House without amendment.

Said bill was then laid on the table.

Mr. Buel, from the select committee to investigate into the location of the northern and southern railroads, reported sundry claims, incurred by reason of said investigation; referred to the committee on claims.

Mr. J. Howard, from the select committee to whom was referred a communication from the Executive, relative to the appointment of a board of loan commissioners, reported a bill entitled "A bill to create a board of commissioners of loans," which was read the first and second times and laid on the table.

Mr. J. Howard offered the following joint resolution, which was read the first and second times, and according to rule, laid upon the table for one day.

Resolved by the Senate and House of Representatives of the State of Michigan, That the board of internal improvement be directed to cause to be made a preliminary survey of a canal to connect the waters of the Grand river, with the Huron; and report the result to the legislature at its next regular session.

The rule having been suspended, on motion of Mr. Gidley, said resolution was referred to the committee on internal improvement.

The Chair announced a message from the Senate, in the words following:

Mr. SPEAKER—In pursuance of the rules of the Senate, I herewith transmit a bill which has passed the Senate, entitled "A bill to provide for proceedings in chancery in certain cases," I also herewith return the bill entitled "A bill to encourage the manufacture of glass within the state of Michigan," with an amendment made thereto by the Senate, in which bill and amendment, the concurrence of the House of Representatives is respectfully requested. I also herewith return, without amendment

the bill entitled "A bill to provide for the improvement of the state salt springs."

The above entitled bill, transmitted from the Senate, to provide for the proceedings in chancery in certain cases, having been read the first and second times, was referred to the committee on the judiciary.

The bill returned from the Senate, to encourage the manufacture of glass within the state of Michigan, together with the amendment made thereto by the Senate, was laid on the table.

The Chair announced a message from the Senate, in the words following :

Mr. SPEAKER—In pursuance of the rules of the Senate, I herewith transmit a bill, which has passed the Senate, entitled "A bill to provide for the more speedy adjustment of damages consequent upon the location of the central railroad route through the lands of Conrad Ten Eyck and others," I also herewith return the bills entitled "A bill to incorporate the Tecumseh academy," and "A bill to incorporate the Gibraltar and Flat Rock company," with amendments made to said bill by the Senate, in which bill and amendments, the concurrence of the House of Representatives is respectfully requested. I also herewith return without amendment, the bill entitled "A bill further to locate the state southern railroad."

The above entitled bill, transmitted from the Senate, having been read the first and second times, was referred to the committee on claims.

The bill returned from the Senate, to incorporate the Gibraltar and Flat Rock company, together with the amendments made thereto, was taken up for consideration, and the amendments severally concurred in, except the amendment to section thirteen, which was amended, on motion of Mr. McClelland, by adding the words "by a vote of two-thirds of each branch of the legislature ;" said bill as amended then passed.

The bill to incorporate the village of Tecumseh, was laid on the table, with the amendments made thereto by the Senate.

The Chair announced a message from the Senate, in the words following :

Mr. SPEAKER—In pursuance of the rules of the Senate, I here-with transmit a bill which has passed the Senate, entitled “A bill to provide for the distribution and sale of the laws,” in which the concurrence of the House of Representatives is respectfully re-quested.

The bill from the Senate entitled as above, was taken up, read a first and second times, and referred to the committee on printing.

The House then resolved itself into a committee of the whole, Mr. Cook in the chair, upon the special order of the day, viz : title seven, part third of the revised code, entitled “ Of limitations of ac-tions,” and after some time spent thereon, the committee rose, and through their chairman, reported the same to the House without amendment.

Said title was then ordered to be engrossed for a third reading.

The rule having been suspended, the engrossed title, title seven, part third, as above, was then read a third time and passed.

Mr. McClelland, from the committee on the judiciary, to whom was referred chapter one of title eight of part third, of the revised code, reported the same back to the House without amendment.

The House then resolved itself into a committee on the whole, Mr. Gidley in the chair, upon chapter one of title eight of part third of the revised code, and after some time spent thereon, the committee rose and through their chairman, reported the same to the House.

Mr. Risdon moved to refer the title to the judiciary committee, with instructions to make such alteration as will abolish im-prisonment for debt entirely, pending which question the House ad-journed.

AFTERNOON SESSION.

The House met pursuant to adjournment.

The roll having been called,

The House proceeded to the consideration of the unfinished busi-ness of the morning, viz ; chapter one of title eight of part third of the revision of the laws,

The question being upon recommitting said chapter to the com-mittee on the judiciary, with instructions so to amend the same as to abolish the principle of imprisonment for debt, which was negatived.

On motion of Mr. Ball, said chapter was laid on the table.

Mr. Kellogg offered the following preamble and resolution, which were read the first and second times, and according to rule, laid on the table for one day.

Whereas, the practice of duelling has become alarmingly prevalent in the land; and whereas this practice, in obedience to an arbitrary, ideal and sanguinary code of honor, is depriving the republic of the lives of many valuable citizens: and whereas such criminal, malign and destructive practice can be restrained only by the enactment of salutary laws; therefore,

Resolved, (if the Senate concur,) That our senators and representative in congress be requested to use their exertions in favor of the passage of a law, expelling from congress all members engaged, either as principals or parties in duels, and to render such expelled members ineligible to a seat in congress, and to all places of honor or profit under the general government.

Resolved, That all members of the present congress, having been engaged either as principals or abettors in the late duel, ought to be expelled their seats as members.

The rule being suspended, said resolution was taken up for consideration.

Mr. Henry Smith moved to lay it on the table, which was decided, by yeas and nays, in the negative, as follows:

YEAS.

Mr. Adams,	Mr. Charter,	Mr. Levake,
Mr. Ball,	Mr. Gidley,	Mr. Odell,
Mr. Burke,	Mr. J. Howard,	Mr. H. Smith,
Mr. Cook,	Mr. King,	Mr. Wixom,
Mr. Crane,		

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NAYS.

Mr. Beaufait,	Mr. Kent,	Mr. Spafford,
Mr. Buckbee,	Mr. Lacey,	Mr. Sheldon,
Mr. Champlin,	Mr. Lane,	Mr. J. R. Smith,
Mr. Cooley,	Mr. McClelland,	Mr. Thompson,
Mr. Dorsey,	Mr. Moran,	Mr. Vickery,
Mr. Doty,	Mr. Montgomery,	Mr. Wakefield,
Mr. Decker,	Mr. Pray,	Mr. Wadhams,
Mr. Hotchkiss,	Mr. Poucher,	Mr. Speaker,
Mr. Kellogg,	Mr. Risdon,	

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Mr. Crane moved the indefinite postponement of said resolu-

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tion, which was decided, by yeas and nays, in the negative, as follows :

	YEAS.		
Mr. Crane, Mr. Gidley,	Mr. J. Howard,	Mr. King,	4
NAYS.			
Mr. Adams,	Mr. Draper,	Mr. Poucher,	
Mr. Ball,	Mr. J. M. Howard,	Mr. Risdon;	
Mr. Burke,	Mr. Kent,	Mr. H. Smith,	
Mr. Buel,	Mr. Laceey,	Mr. Spafford,	
Mr. Beaufait,	Mr. Lane,	Mr. Sheldon,	
Mr. Butler,	Mr. Levake,	Mr. J. R. Smith,	
Mr. Buckbee,	Mr. McClelland,	Mr. Thompson,	
Mr. Champlin,	Mr. Moran,	Mr. Vickery,	
Mr. Cook,	Mr. Montgomery,	Mr. Wakefield,	
Mr. Cooley,	Mr. Odell,	Mr. Wixom,	
Mr. Charter,	Mr. Pray,	Mr. Wadhamas,	
Mr. Dorsey,	Mr. Payne,	Mr. Speaker,	37
Mr. Doty,			

Mr. Crane offered the following as a substitute :

" That if individuals in the southern states think proper to shoot each other, the worst is their own ; and that this body, however much they may pity the folly of such people, have no jurisdiction in the matter."

The question on the substitute was decided by yeas and nays in the negative, as follows :

	YEAS.		
Mr. Crane,	Mr. Gidley,	Mr. H. Smith,	3
NAYS.			
Mr. Adams,	Mr. J. M. Howard,	Mr. Payne,	
Mr. Ball,	Mr. J. Howard,	Mr. Poucher,	
Mr. Burke,	Mr. Hotchkiss,	Mr. Risdon,	
Mr. Buel,	Mr. Kellogg,	Mr. Spafford,	
Mr. Beaufait,	Mr. King,	Mr. Sheldon,	
Mr. Butler,	Mr. Laceey,	Mr. J. R. Smith,	
Mr. Buckbee,	Mr. Lane,	Mr. Thompson,	
Mr. Champlin,	Mr. Levake,	Mr. Vickery,	
Mr. Cook,	Mr. McClelland,	Mr. Wakefield,	
Mr. Charter,	Mr. Moran,	Mr. Wixom,	
Mr. Dorsey,	Mr. Montgomery,	Mr. Wadhamas,	
Mr. Doty,	Mr. Odell,	Mr. Speaker,	
Mr. Draper,	Mr. Pray,		38

Mr. J. M. Howard moved to amend by striking out all after the word "duels," in the first resolution; also all of the second resolution, which was negative.

Mr. Ball moved to lay said resolution on the table, which was decided by yeas and nays, in the negative, as follows:

YEAS.

Mr. Ball,
Mr. Burke,
Mr. Cook,

Mr. Crane,
Mr. J. Howard,
Mr. King,

Mr. Odell,
Mr. H. Smith,
Mr. Wixom, 9

NAYS.

Mr. Adams,
Mr. Buel,
Mr. Beaufait,
Mr. Buckbee,
Mr. Champlin,
Mr. Charter,
Mr. Dorsey,
Mr. Doty,
Mr. J. M. Howard,
Mr. Hotchkiss,

Mr. Kellogg,
Mr. Kent,
Mr. Lacey,
Mr. Lane,
Mr. Lancaster,
Mr. Levake,
Mr. McClelland,
Mr. Moran,
Mr. Montgomery,

Mr. Pray,
Mr. Poucher,
Mr. Spafford,
Mr. Sheldon,
Mr. J. R. Smith,
Mr. Thompson,
Mr. Wakefield,
Mr. Wadham,
Mr. Speaker,

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The question being upon the passage of the first resolution, Mr. McClelland called for a division of the question, which having been granted, the question was stated to be upon the first clause of the first resolution, which was decided by yeas and nays, in the affirmative, as follows:

YEAS.

Mr. Adams,
Mr. Ball,
Mr. Burke,
Mr. Beaufait,
Mr. Butler,
Mr. Buckbee,
Mr. Champlin,
Mr. Cook,
Mr. Charter,
Mr. Dorsey,
Mr. Doty,
Mr. Gidley,

Mr. Hotchkiss,
Mr. Kellogg,
Mr. Kent,
Mr. King,
Mr. Lacey,
Mr. Lane,
Mr. Lancaster,
Mr. Levake,
Mr. McClelland,
Mr. Moran,
Mr. Montgomery,
Mr. Odell,

Mr. Pray,
Mr. Payne,
Mr. Poucher,
Mr. Risdon,
Mr. Sheldon,
Mr. J. R. Smith,
Mr. Thompson,
Mr. Wakefield,
Mr. Wixom,
Mr. Wadham,
Mr. Speaker,

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NAYS.

Mr. Crane,

Mr. H. Smith,

Mr. Spafford,

3

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The question being on the second clause of said resolution, it was decided by yeas and nays, in the affirmative, as follows :

YEAS.

Mr. Adams,	Mr. Kent,	Mr. Risdon,
Mr. Buel,	Mr. King,	Mr. Sheldon,
Mr. Beaufait,	Mr. Lacey,	Mr. J. R. Smith,
Mr. Buckbee,	Mr. Lane,	Mr. Thompson,
Mr. Champlin,	Mr. Lancaster,	Mr. Wakefield,
Mr. Dorsey,	Mr. Levake,	Mr. Wixom,
Mr. Doty,	Mr. Moran,	Mr. Wadham,
Mr. Hotchkiss,	Mr. Pray,	Mr. Speaker,
Mr. Kellogg,	Mr. Poucher,	
		26

NAYS.

Mr. Ball,	Mr. Crane,	Mr. Odell,
Mr. Burke,	Mr. Charter,	Mr. Payne,
Mr. Butler,	Mr. McClelland,	Mr. H. Smith,
Mr. Cook,	Mr. Montgomery,	Mr. Spafford,
		12

The question being upon the passage of the second resolution, it was decided, by yeas and nays, in the affirmative, as follows :

YEAS.

Mr. Adams,	Mr. Kent,	Mr. Pray,
Mr. Burke,	Mr. King,	Mr. Poucher,
Mr. Buel,	Mr. Lacey,	Mr. Risdon,
Mr. Beaufait,	Mr. Lane,	Mr. Sheldon,
Mr. Buckbee,	Mr. Lancaster,	Mr. Thompson,
Mr. Champlin,	Mr. Levake,	Mr. Wakefield,
Mr. Dorsey,	Mr. McClelland,	Mr. Wixom,
Mr. Doty,	Mr. Moran,	Mr. Wadham,
Mr. Hotchkiss,	Mr. Montgomery,	Mr. Speaker,
Mr. Kellogg,	Mr. Odell,	
		29

NAYS.

Mr. Butler,	Mr. Draper,	Mr. H. Smith,
Mr. Cook,	Mr. Gidley,	Mr. Spafford,
Mr. Crane,	Mr. Payne,	Mr. J. R. Smith,
Mr. Charter,		
		10

The preamble to said resolutions was then adopted.

Mr. Spafford gave notice that at some future day he should bring in a bill to change the time of holding the circuit court in the county of Lenawee.

Mr. Champlin, according to notice given and leave -----

introduced a bill entitled "A bill to incorporate the Jonesville and Jackson railroad company," which was read a first and second times, and referred to the committee on internal improvement.

The House then resolved itself into a committee of the whole, Mr. Henry Smith in the chair, on the bill to incorporate the Medina and Canandaigua railroad company, and after some time spent therein, the Speaker took the chair, and on motion, the House adjourned.

Saturday, March 24.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Thompson.

The roll having been called, there were absent, Messrs. Buckbee, Doty, Draper, Goodman, J. M. Howard, J. Howard.

The proceedings of yesterday having been read,

Leave of absence was granted to Messrs. Buckbee, Doty, Goodman, and J. Howard, for one day each.

Petitions presented : By Mr. Wakefield, of sundry citizens of this state, in behalf of the safety fund banks ; referred to the select committee heretofore appointed by the Chair upon that subject. By Mr. Draper, on the same subject ; referred to the same committee.

Mr. Ball presented the claims of Henry Mansfield and Aaron Russel, for taking the census in part of the state not organized into townships.

Mr. Cook presented the claim of A. W. Buel, for translating the governor's message into the German language, which claims were severally referred to the committee on claims.

On motion of Mr. Henry Smith,

Resolved, That the committee on the judiciary be instructed to ascertain and report with the least delay, whether any obligation in law or equity exists for the state to construct the Havre branch railroad as at present located.

On motion of Mr. Cook,

Resolved, That the Superintendent of Public Instruction report to this House, without unnecessary delay, the names of such indi-

viduals, corporations or companies to whom he has loaned moneys belonging to the university or primary school fund, the amount loaned to each, and the terms and securities of such loans.

Mr. Payne, from the select committee, to which was referred a communication from the Hon. E. Mundy, reported thereon, and recommended an appropriation for his services during the absence of the Governor, which report having been read, was laid on the table.

[See Document No. 50.]

Mr. Buel, from the committee on the judiciary, to which was referred a bill to authorize Jas. Eldredge, a minor, to convey certain real estate, reported the same to the House without amendment, which was laid on the table.

Mr. Crane, from the committee on towns and counties, reported a bill to organize certain townships, and for other purposes, which was read the first and second times, and laid on the table; also reported, without amendment, a bill to authorize Phineas Swarthout to convey a certain piece of land therein named.

Mr. Ristdon, from the committee on roads and bridges, reported "A bill to amend an act entitled 'An act appointing commissioners to lay out certain state roads,'" which was read the first and second times, and the rule being suspended, was then read the third time and passed.

Mr. Cook, from the committee on claims, to which was referred the bill from the Senate "to provide for the more speedy adjustment of damages consequent upon the location of the central railroad route through the land of Conrad Ten Eyck and others," reported the same to the House without amendment; said bill was then laid on the table.

The House then resumed in committee of the whole, Mr. Henry Smith in the chair, the consideration of the bill entitled "A bill to incorporate the Medina and Canandaigua railroad company," and after some time spent thereon, the committee rose, and through their chairman, reported the same to the House with sundry amendments, which were concurred in.

The question being upon ordering said bill to a third reading,

Mr. Lancaster moved to amend, by filling the blank in section twenty-one, with "nine hundred," which was decided in the affirmative.

On motion of Mr. Buel, said bill was further amended, by adding the following proviso to section fifteen :

"And provided further, that by reason of any thing herein contained, the company hereby incorporated shall not be allowed to run their cars on any of the state railroads without the consent of the legislature."

The question recurring on ordering said bill to a third reading, it was decided, by yeas and nays, in the affirmative, as follows :

YEAS.

Mr. Adams,	Mr. J. M. Howard,	Mr. Poucher,
Mr. Ball,	Mr. Hotchkiss,	Mr. Risdon,
Mr. Buel,	Mr. Kellogg,	Mr. Spafford,
Mr. Beaufait,	Mr. Kent,	Mr. Sheldon,
Mr. Bowman,	Mr. Lane,	Mr. Thompson,
Mr. Champlin,	Mr. Lancaster,	Mr. Wixom,
Mr. Cook,	Mr. Moran,	Mr. Williams,
Mr. Dorsey,	Mr. Pray,	Mr. Wadham,
Mr. Draper,	Mr. Payne,	Mr. Speaker,
Mr. Gidley,		

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NAYS.

Mr. Crane,	Mr. Levake,	Mr. Odell,
Mr. Charter,	Mr. McClelland,	Mr. H. Smith,
Mr. Lacey,	Mr. Montgomery,	Mr. J. R. Smith, 9

The question being upon the final passage of said bill, it being a two-third bill, was decided by yeas and nays, in the affirmative, as follows :

YEAS.

Mr. Adams,	Mr. J. M. Howard,	Mr. Risdon,
Mr. Ball,	Mr. Hotchkiss,	Mr. Spafford,
Mr. Buel,	Mr. Kellogg,	Mr. Sheldon,
Mr. Beaufait,	Mr. Kent,	Mr. Thompson,
Mr. Bowman,	Mr. Lane,	Mr. Wixom,
Mr. Champlin,	Mr. Lancaster,	Mr. Williams,
Mr. Cook,	Mr. Moran,	Mr. Wadham,
Mr. Draper,	Mr. Payne,	Mr. Speaker,
Mr. Gidley,	Mr. Poucher,	

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NAYS.

Mr. Crane,	Mr. Levake,	Mr. Pray,
Mr. Charter,	Mr. McClelland,	Mr. H. Smith,
Mr. Dorsey,	Mr. Montgomery,	Mr. J. R. Smith,
Mr. Lacey,	Mr. Odell,	11

The Chair announced a message from the Senate, in the words following :

Mr. SPEAKER—In pursuance of the rules of the Senate, I herewith transmit resolutions which have passed the Senate, entitled “Resolutions relative to the release by the state, of certain lands on the Grand and Muskegon rivers;” I also herewith return the bill entitled “A bill to incorporate the Clinton salt works company,” with sundry amendments made thereto by the Senate, in which resolution and amendments the concurrence of the House of Representatives is respectfully requested. I am also instructed to inform the House of Representatives that the Senate have concurred in the amendment of the House of Representatives to the amendment of the Senate, to section thirteen of the bill entitled “A bill to incorporate the Gibraltar and Flat Rock company.”

The bill to incorporate the Clinton salt works company, together with the amendments made thereto by the Senate, was laid on the table.

The joint resolutions transmitted from the Senate, entitled as above, were read the first and second times, and according to rule, laid on the table for one day.

The rule having been suspended, said resolutions were taken up for consideration.

Mr. Risdon moved to amend, by adding the following proviso, which was negatived :

Provided the compensation to said John Mullet be paid by the settlers on the above lands referred to.

The resolutions were then read the third time and passed.

The following protest was ordered to be placed on the journal :

REPRESENTATIVE CHAMBER, }
Detroit, March 23, 1838. }

The undersigned, a member of the House of Representatives, while he takes this occasion to record his disapprobation, his contempt and detestation of the barbarous and unchristian practice of

dueling ; feels bound, nevertheless to enter his protest against the resolutions which have just passed this body ; inasmuch as its tendency and intention is to induce an action in congress, which would conflict with the constitution of the United States, by causing that body to inflict a punishment, not now directed by law, for a crime which has been committed ; such action would clearly have the effect of an ex post facto law.

H. SMITH.

The Chair announced a message from the Senate, in the words following :

Mr. SPEAKER—In pursuance of the rules of the Senate, I here-with return, without amendment, the bill entitled “A bill to amend an act entitled ‘An act to organize the township of Hickory, and for other purposes,’” and the bill entitled “A bill to impose certain duties on the several county commissioners, and for other purposes,” with an amendment, in which the concurrence of the House of Representatives is respectfully requested. I also here-with transmit a bill entitled “A bill to amend an act entitled ‘An act to incorporate the Detroit and Shiawassee railroad company,’” and a resolution entitled “A resolution relative to the Havre branch railroad,” which have passed the Senate, and in which the concurrence of the House of Representatives is respectfully requested. I am also instructed to inform the House of Repre-sentatives that the bill from the House of Representatives entitled “A bill to amend an act entitled ‘An act for the regulation of internal improvement, and for the appointment of a board of commissioners,’” was lost in the Senate on its final passage.

The bill returned from the Senate, entitled “A bill to impose certain duties on the several county commissioners, and for other purposes,” with an amendment made thereto by the Senate, was taken up, and the amendment concurred in.

The bill from the Senate, entitled “A bill to amend an act entitled ‘An act to incorporate the Detroit and Shiawassee railroad company,’” was then taken up, read a first and second times, and referred to the committee on internal improvement.

The joint resolution from the Senate, entitled “A resolution relative to the Havre branch railroad company,” was taken up,

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read a first and second times, and according to rule, laid on the table for one day.

The House then took up the bill from the Senate, entitled "A bill for the relief of the several school districts in this state."

On motion of Mr. Crane, said bill was laid on the table.

The following message was received from the Executive, through C. C. Jackson, Esq. his private secretary :

To the House of Representatives:

I have this day approved and filed in the office of the Secretary of State, the following acts, viz : "An act to lay out and establish certain state roads, and for other purposes," and "An act to provide for the improvement of the state salt springs."

STEVENS T. MASON.

March 28, 1838.

The House then resolved itself into a committee of the whole, Mr. Wakefield in the chair, upon the bill entitled "A bill authorizing James Eldred, a minor, to convey real estate in the state of Michigan," and after some time spent thereon, the committee rose, and through their chairman, reported the same to the House without amendment.

Said bill was then ordered to be engrossed for third reading.

The rule having been suspended, said bill was read a third time and passed.

The House then resolved itself into a committee of the whole, Mr. Wixom in the chair, upon the bill from the Senate entitled "A bill to provide for the more speedy adjustment of damages consequent upon the location of the southern railroad route, through lands of Conrad Ten Eyck, and others," and after some time spent thereon, the committee rose, and through their chairman reported the same back to the House without amendment.

On motion of Mr. Risdon, said bill was amended by inserting after the word "location," in line five of section four, the words "and construction."

On motion of Mr. Cook, said bill was further amended, by striking out the words "the Senate," in line three, section one, and inserting the words "both branches of the legislature," in lieu thereof.

Said bill as amended, was read a third time and passed.

Mr. Cook called up a resolution by him submitted, in relation to a report of the bank commissioners, which was adopted.

The House then took up for a third reading the bill entitled "A bill to incorporate the mechanical association of the city of Saginaw," which passed, by yeas and nays, as follows:

YEAS.

Mr. Adams,	Mr. Kellogg,	Mr. Pray,
Mr. Burke,	Mr. Kent,	Mr. Poucher,
Mr. Buel,	Mr. King,	Mr. Risdon,
Mr. Beaufait,	Mr. Lacey,	Mr. Sheldon,
Mr. Butler,	Mr. Lane,	Mr. J. R. Smith,
Mr. Champlin,	Mr. Lancaster,	Mr. Thompson,
Mr. Cook,	Mr. Levake,	Mr. Vickery,
Mr. Cooley,	Mr. Montgomery,	Mr. Wixom,
Mr. Gidley,	Mr. Odell,	Mr. Wadham,
Mr. Hotchkiss,		

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NAYS.

Mr. Wakefield,	Mr. Speaker,	2
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The following message was received from the Executive through C. C. Jackson, Esq., his private secretary :

Mr. SPEAKER—I am instructed by the Governor of the state, to inform the House of Representatives that he will nominate a board of internal improvement, whenever it shall suit the convenience of the two houses to meet in joint assembly.

The Chair announced a communication from the president of the board of internal improvement, transmitting a copy of the report of the engineer on the Clinton and Kalamazoo canal, which was referred to the committee on internal improvement, and ordered to be printed.

On motion of Mr. Kellogg,

Resolved, That the Treasurer be, and he is hereby requested, to report as soon as practicable to this House, the amount of moneys of insolvent banks in the treasury ; also what banks, and the amount of each.

On motion, the House adjourned.

AFTERNOON SESSION.

The House met pursuant to adjournment.

The roll having been called,

The House resolved itself into a committee of the whole, Mr. Kellogg in the chair, upon bill number ninety-four, entitled "A bill to incorporate the Ypsilanti and Tecumseh railroad company," and after some time spent therein, the committee rose, and through their chairman reported the same to the House with sundry amendments, which were concurred in.

Mr. Risdon moved to amend so as that the road should pass by way of the salt spring reserve at Saline, which was decided in the affirmative.

Mr. Wakefield moved to lay said bill on the table, which was negatived.

Said bill was then ordered to be engrossed.

The rule being suspended, the House took up for consideration a joint resolution from the Senate, relative to the Havre branch railroad, which was read a third time and passed.

The Chair announced a message from the Senate, in the words following :

Mr. SPEAKER—In pursuance of the rules of the Senate, I herewith return the bill entitled "A bill to incorporate the village of Kalamazoo," and "A bill to amend an act entitled 'An act to incorporate the village of Ypsilanti,'" with amendments made by the Senate to said bills. I also herewith transmit a bill, which has passed the Senate, entitled "A bill providing for the sale of certain lands to the settlers thereon," in which bill and above amendments, the concurrence of the House of Representatives is respectfully requested.

The House took up for consideration the bill transmitted from the Senate entitled as above, and Mr. Wakefield moved to amend by inserting after the word "Senate," in section one, line three, the words "and House of Representatives," which was negatived.

The rule being suspended, said bill then passed, by yeas and nays, as follows :

YEAS.

Mr. Adams,	Mr. J. M. Howard,	Mr. Payne,
Mr. Ball,	Mr. Hotchkiss,	Mr. Poucher,
Mr. Burke,	Mr. Kellogg,	Mr. Risdon,
Mr. Beaufait,	Mr. Kent,	Mr. H. Smith,
Mr. Butler,	Mr. King,	Mr. Spafford,
Mr. Champlin,	Mr. Lacey,	Mr. Sheldon,

Mr. Cook,
Mr. Cooley
Mr. Charter,
Mr. Gidley,

Mr. Lane,
Mr. McClelland,
Mr. Montgomery,
Mr. Odell,

Mr. J. R. Smith,
Mr. Thompson,
Mr. Vickery,

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NAYS.

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The bill returned from the Senate entitled "A bill to incorporate the village of Kalamazoo," with the amendments made thereto by the Senate, was taken up and the amendments concurred in.

The bill returned from the Senate, entitled "A bill to amend an act entitled 'An act to incorporate the village of Ypsilanti,'" with an amendment made thereto by the Senate, was taken up, and the amendment concurred in.

The House then took up the bill entitled "A bill to incorporate the Tecumseh academy," and the question being upon concurring in the amendment made thereto by the Senate,

On motion of Mr. Spafford, the amendment was amended by adding the words, "by a vote of two-thirds of both branches."

Said bill as amended then passed.

The House then took up the bill entitled "A bill to encourage the manufacture of glass within the state of Michigan," and the question being upon concurring in the amendment made thereto by the Senate, it was concurred in.

Said bill as amended was then read a third time and passed.

On motion, the House adjourned.

Monday, March 26.

The House met pursuant to adjournment.

The roll having been called, there were absent, Messrs Buckbee, Doty, Draper, Decker, Spafford, Wixom.

The proceedings of Saturday having been read,

The following petitions were presented; By Mr. J. R. Smith, and by Mr. Gant, in relation to the safety fund banks; referred to the select committee heretofore appointed by the Chair, on that subject. By Mr. Ball, for the organization of a town; referred to the committee on towns and counties.

Mr. Bement, from the committee on banks and incorporations, to whom was referred a petition relative to the Clinton salt works company, reported a bill entitled "A bill to encourage the manufacture of salt within the state of Michigan," which was read the first and second times, and laid on the table.

Mr. J. M. Howard, from the committee on the judiciary, to whom was referred chapter _____ of title _____ of part third of the revised code, reported the same to the House with sundry amendments, which were laid on the table.

Mr. Buel from the committee on the judiciary, to whom was referred the bill entitled "A bill to incorporate the village of Belvidere," reported the same back to the House without amendment; said bill was then laid on the table.

On motion of Mr. Kellogg, five hundred copies of the report of the engineer on the Clinton and Kalamazoo canal, were ordered to be printed.

On motion of Mr. Henry Smith,

Resolved, That the Attorney General of the state be requested to give his written opinion as to whether the state is bound in law or equity, to complete the construction of the Havre branch railroad, as at present located.

On motion of Mr. Buel, the judiciary committee were discharged from the further consideration of the subject referred to in the above resolution.

The bill entitled "A bill to provide for the disposition of prisoners apprehended within the counties of Ionia and Ottawa," together with sundry amendments made thereto by the Senate, was taken up, and the amendments concurred in.

The House then took up the bill entitled "A bill to authorize the building of a dam across the Shiawassee river," which having been considered, was ordered to be engrossed for a third reading.

The rule having been suspended, said bill was read a third time and passed.

The House then took up the engrossed bill entitled "A bill to incorporate the Ypsilanti and Tecumseh railroad company," and the question being upon its final passage, it being a two-third vote, was decided, by yeas and nays, in the affirmative, as follows:

YEAS.

Mr. Adams,	Mr. Gidley,	Mr. Moran,
Mr. Burke,	Mr. Gantt,	Mr. Odell,
Mr. Bement,	Mr. J. M. Howard,	Mr. Payne,
Mr. Buel,	Mr. J. Howard,	Mr. Poucher,
Mr. Beaufait,	Mr. Hotchkiss,	Mr. Sheldon,
Mr. Butler,	Mr. Kellogg,	Mr. J. R. Smith,
Mr. Champlin,	Mr. King,	Mr. Thompson,
Mr. Cook,	Mr. Lacey,	Mr. Vickery,
Mr. Cooley,	Mr. Lane,	Mr. Williams,
Mr. Charter,	Mr. Lancaster,	Mr. Wadhamas,
Mr. Draper,	Mr. Levake,	Mr. Speaker, 34
Mr. Goodman,		

NAYS.

Mr. Crane,	Mr. Montgomery,	Mr. H. Smith,
Mr. Kent,	Mr. Pray,	5

The House then took up for consideration the bill to incorporate the village of Belvidere, which was ordered to be engrossed for a third reading.

The rule having been suspended, said bill was then read a third time and passed.

The House then took up for consideration, a bill to organize certain townships, and for other purposes.

Mr. Wadhamas moved to amend by striking out the third section, which was decided in the affirmative.

The rule having been suspended, said bill as amended, was then read a third time and passed.

The engrossed bill, concerning fugitives from service, was taken up, read a third time and passed.

The engrossed bill, to amend an act entitled "An act to incorporate the village of Tecumseh, was taken up, read a third time and passed.

The House then took up a bill to authorize Phineas Swarthout to convey a certain piece of land therein named, when, the rule having been suspended, said bill was then read a third time and passed.

The House then took up a bill to legalize the erection and maintenance of a dam across the Kalamazoo river, when the rule

having been suspended, said bill was read a third time and passed.

The House then took up the bill from the Senate, entitled "A bill to provide for taking the acknowledgment of deeds and cessions of lands to the people of this state," when, the rule having been suspended, said bill was read a third time and passed.

The House then took up for consideration, the bill from the Senate, entitled "A bill to attach a part of the county of Sanilac, for judicial purposes, to the county of St. Clair," when, the rule having been suspended, said bill was read a third time and passed.

The House then took up the bill from the Senate, entitled "A bill to authorize the supervisors of the county of Washtenaw, to borrow a sum of money to build a jail," when, the rule being suspended, said bill was read a third time and passed.

The House then took up "A bill to incorporate the Clinton salt works company, together with amendments made thereto by the Senate, and the question being upon concurring in said amendments, they were concurred in.

Said bill as amended then passed.

The House then took up a bill from the Senate for the relief of the several school districts in this state, and on motion of Mr. Crane, said bill was amended by adding the following section, viz : " So much of the act entitled ' An act to provide for the organization and support of primary schools,' approved March 20, 1837, as empowers the district board of any district to sue for and recover the penalty incurred by any person for neglecting or refusing to perform any duty required by said restriction act, is hereby so amended as to make it the duty of the township board of school inspectors to sue for and recover such penalty ;" and to add to the title the words " and for other purposes."

The rule having been suspended, said bill was read a third time and passed.

The House then took up a bill from the Senate " in relation to supervisors," and on motion of Mr. Crane, said bill was amended by striking out in line seven of section first, the words " county commissioners," and inserting the words " heretofore performed by the supervisors."

The rule having been suspended, said bill was read the third time and passed.

The House then resolved itself into a committee of the whole, Mr. King in the chair, upon "A bill relative to witnesses and evidence," and after some time spent therein, the committee rose, and through their chairman reported progress, and asked and obtained leave to sit again.

On motion, the House adjourned.

AFTERNOON SESSION.

The House met pursuant to adjournment.

The roll having been called, the House proceeded to the consideration, in committee of the whole, Mr. King in the chair, of the unfinished business of the morning, viz : "A bill relative to witnesses and evidence," and after some time spent therein, the committee rose, and through their chairman reported the same to the House with sundry amendments, which were concurred in.

Said bill was ordered to be engrossed for a third reading.

The rule having been suspended, said bill was then read a third time and passed.

The Chair announced a message from the Senate, in the words following :

Mr. SPEAKER—In pursuance of the rules of the Senate, I am instructed to inform the House of Representatives, that Messrs. Summers, Woodbridge and Barry, have been appointed a committee of conference on the part of the Senate, on the disagreement between the two houses on the bill entitled "A bill to amend an act entitled 'An act to amend an act to organize and regulate banking associations, and for other purposes,' and to suspend the operation of the same," and that the Senate respectfully request the appointment of a like committee on the part of the House of Representatives. I also herewith transmit a bill which has passed the Senate, entitled "A bill concerning the extension of Fort street, in the county of Wayne," in which the concurrence of the House of Representatives is respectfully requested.

The Chair announced Messrs. Butler, Levake, Wakefield, Crane and Payne, as a committee of conference on the part of the House, on the disagreement between the two houses, on the bill

entitled "A bill to amend an act entitled 'An act to amend an act to organize and regulate banking associations, and for other purposes,' and to suspend the operation of the same."

The bill transmitted from the Senate, entitled "A bill concerning the extension of Fort street, in the county of Wayne," was taken up, read a first and second times and referred to the committee on roads and bridges.

The Chair announced a message from the Senate, received through their secretary :

Mr. SPEAKER—In pursuance of the rules of the Senate, I here-with transmit a resolution which has passed the Senate, entitled "A resolution relative to the Farmers Bank of Genesee county," in which the concurrence of the House of Representatives is respectfully requested.

The above entitled resolution was taken up, read a first and second times, and according to rule, laid on the table for one day.

The rule having been suspended, said resolution was then read a third time and passed.

The House then resolved itself into committee of the whole; Mr. Crane in the chair, upon bill number forty-eight, "Of costs and the fees of officers," and after some time spent thereon, the committee rose, and through their chairman reported the same to the House with sundry amendments, which were concurred in.

Said bill was then ordered to be engrossed for a third reading.

The rule having been suspended, said bill was then read a third time and passed.

The House then resolved itself into a committee of the whole, Mr. Wakefield in the chair, upon the bill entitled "A bill to incorporate the village of Dearbornville," and after some time spent thereon, the committee rose, and through their chairman reported the same to the House with sundry amendments, which were concurred in.

Said bill was then ordered to be engrossed for a third reading.

The rule having been suspended, said bill was read a third time and passed, by yeas and nays, as follows :

YEAS.

Mr. Ball,
Mr. Burke,

Mr. J. Howard,
Mr. Hotchkiss,

Mr. Odell,
Mr. Payne,

Mr. Bowman,	Mr. Kellogg,	Mr. Poucher,
Mr. Champlin,	Mr. Kent,	Mr. Risdon,
Mr. Cook,	Mr. King,	Mr. H. Smith,
Mr. Cooley,	Mr. Lacey,	Mr. Sheldon,
Mr. Charter,	Mr. Lane,	Mr. J. R. Smith,
Mr. Draper,	Mr. McClelland,	Mr. Thompson,
Mr. Goodman,	Mr. Montgomery,	Mr. Wakefield, 28
Hr. J. M. Howard,		

NAYS.

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Mr. Burke offered the following joint resolution, which was read a first and second times, and according to rule, laid on the table for one day.

Resolved by the Senate and House of Representatives of the State of Michigan, That the commissioners of internal improvement be directed to cause a correct and accurate surveyed estimate of a railroad route, on the best and most eligible ground, from Centerville, via Lockport, Geneva and Cassopolis to Niles, to be made, and report said survey and estimate to the legislature of this state at its next annual session, and that in the mean time all other proceedings and expenditures upon the western end of the southern railroad be and hereby are prohibited.

The House then resolved itself into a committee of the whole, Mr. J. Howard in the chair, upon bill number forty-nine, entitled, "Of fees," and after some time spent thereon, the committee rose, and through their chairman, reported progress and asked and obtained leave to sit again.

Mr. Risdon, from the committee on roads and bridges, to whom was referred a bill from the Senate, entitled "A bill concerning the extension of Fort street, in the county of Wayne," reported the same to the House without amendment.

Said bill was taken up for consideration, and the question being upon its final passage,

On motion of Mr. Cook, said bill was laid on the table.

Mr. Gantt offered the following resolution :

Resolved, That from and after this day the House of Representatives will hold three sessions per day during the present week ; pending which question, the House adjourned.

Tuesday March 27.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Comstock,

The roll having been called, there were absent, Messrs. J. Howard, Spafford.

The proceedings of yesterday having been read,

The following petitions were presented : By Mr. J. M. Howard, respecting transportation on the Detroit and St. Joseph railroad ; referred to the committee on the judiciary. By Mr. Champlin, a remonstrance against appropriations on any railroad, except the central railroad. By Mr. Payne, in relation to the same subject ; which petitions were severally laid on the table.

On motion of Mr. Thompson,

Resolved, That this House will in future meet at nine o'clock, A. M. and at two o'clock P. M. during the present session.

Mr. Champlin, offered the following resolution, which was read the first and second times, and according to rule, laid on the table for one day.

Resolved by the Senate and House of Representatives of the State of Michigan, That the commissioners of internal improvement be and they are hereby required to relocate that part of the southern railroad between Adrian and Branch, so that said railroad shall run to the village of Jonesville, in the county of Hillsdale, or as near thereto as practicable.

On motion of Mr. Cook,

Resolved, That the acting commissioners on the central railroad, be requested to furnish this House without delay, the daily expenses of running the railroad cars ; the number of persons employed about the engine and cars, and that at the different depots, and at what price per month or day to each, stating their names, and where employed, and what their duties, and also the daily receipts upon said road.

Mr. Moran gave notice that, at some future day, he should ask leave to introduce a bill to amend the laws relative to highway taxes, so as to require said taxes, levied in the city of Detroit, to be paid in money instead of labor.

Mr. Gantt offered the following resolution, which was laid on the table :

Resolved, That the committee on banks and incorporations are hereby required to report the bill for the relief of the safety fund banks, to them referred, forthwith.

Mr. Burke called up the resolution, by him submitted on the twenty-sixth, relative to a survey of a new route from Centerville to Niles, on the western end of the southern railroad, and the question on the final passage was decided, by yeas and nays, in the affirmative, as follows :

YEAS.

Mr. Burke,	Mr. Gidley,	Mr. Pray,
Mr. Buel,	Mr. J. M. Howard,	Mr. Payne,
Mr. Butler,	Mr. J. Howard,	Mr. Risdon,
Mr. Bowman,	Mr. Kellogg,	Mr. H. Smith,
Mr. Buckbee,	Mr. King,	Mr. Sheldon,
Mr. Champlin,	Mr. Lacey,	Mr. J. R. Smith,
Mr. Cook,	Mr. Lane,	Mr. Vickery,
Mr. Cooley,	Mr. Moran,	Mr. Williams,
Mr. Doty,	Mr. Montgomery,	Mr. Speaker,
Mr. Goodman,	Mr. Odell,	

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NAYS.

Mr. Adams,	Mr. Dorsey,	Mr. McClelland,
Mr. Bement,	Mr. Decker,	Mr. Thompson,
Mr. Beaufait,	Mr. Hotchkiss,	Mr. Wakefield,
Mr. Crane,	Mr. Kent,	Mr. Wixon,
Mr. Charter,	Mr. Lancaster,	Mr. Wadham,

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The House then took up the special order of the day, viz : "A bill to provide for the continuance of the improvements of the state of Michigan."

Mr. Cook moved to lay the special order of the day on the table, which was negatived, by yeas and nays, as follows :

YEAS.

Mr. Burke,	Mr. Gidley,	Mr. Pray,
Mr. Buckbee,	Mr. J. M. Howard,	Mr. Payne,
Mr. Champlin,	Mr. J. Howard,	Mr. Poucher,
Mr. Cook,	Mr. Kellogg,	Mr. Risdon,
Mr. Cooley;	Mr. King,	Mr. J. R. Smith,
Mr. Dorsey,	Mr. Lacey,	Mr. Vickery,
Mr. Doty,	Mr. Moran,	Mr. Williams,
Mr. Goodman,		

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NAYS.

Mr. Adams,	Mr. Charter,	Mr. Montgomery,
Mr. Ball,	Mr. Decker,	Mr. H. Smith,
Mr. Bement,	Mr. Draper,	Mr. Sheldon,
Mr. Buel,	Mr. Hotchkiss,	Mr. Thompson,
Mr. Beauvaisit,	Mr. Kent,	Mr. Wakefield,
Mr. Butler,	Mr. Lane,	Mr. Wixom,
Mr. Bowman,	Mr. Lancaster,	Mr. Wadham,
Mr. Crane,	Mr. McClelland,	Mr. Speaker, 24

The question being upon the motion of Mr. Payne, to strike out "for making the northern railroad fifty thousand dollars," it was decided, by yeas and nays, in the affirmative, as follows:

YEAS.

Mr. Burke,	Mr. Goodman,	Mr. Odell,
Mr. Bement,	Mr. Gidley,	Mr. Pray,
Mr. Buckbee,	Mr. Gantt,	Mr. Payne,
Mr. Champlin,	Mr. J. M. Howard,	Mr. Poucher,
Mr. Cook,	Mr. J. Howard,	Mr. Risdon,
Mr. Cooley,	Mr. Kellogg,	Mr. J. R. Smith,
Mr. Crane,	Mr. Kent,	Mr. Thompson,
Mr. Charter,	Mr. Lane,	Mr. Vickery,
Mr. Dorsey,	Mr. Lancaster,	Mr. Wakefield,
Mr. Doty,	Mr. McClelland,	Mr. Williams,
Mr. Decker,	Mr. Moran,	Mr. Wadham, 35

NAYS.

Mr. Adams,	Mr. Bowman,	Mr. Montgomery,
Mr. Ball,	Mr. Draper,	Mr. H. Smith,
Mr. Buel,	Mr. Hotchkiss,	Mr. Sheldon,
Mr. Bement,	Mr. King,	Mr. Wixom,
Mr. Butler,	Mr. Lacey,	Mr. Speaker, 15

Mr. Lancaster moved to fill the blank occasioned by striking out as above, with the words "for making the northern railroad one hundred thousand dollars."

Mr. Buckbee moved a call of the House; whereupon the sergeant-at-arms was instructed to bring in the absentees, being Messrs. Levake and Pray.

The question recurring upon the amendment of Mr. Lancaster, Mr. J. R. Smith moved to amend by adding the words "to be ex-

pended on the central section of the northern railroad west of the Flint village, to the Maple river," which was negative.

Mr. Risdon moved to amend the amendment by striking out all after the enacting clause, pending which question, the House adjourned.

AFTERNOON SESSION.

The House met pursuant to adjournment.

The roll having been called,

The House then took up the unfinished business of the morning, *viz*: the consideration of "A bill to provide for the continuation of the improvements of the state of Michigan," and the question being upon the amendment of Mr. Risdon, to strike out all after the enacting clause of said bill, it was decided, by yeas and nays, in the negative, as follows:

YEAS.

Mr. Burke,	Mr. Goodman,	Mr. Payne,
Mr. Buel,	Mr. Gidley,	Mr. Poucher,
Mr. Beaufait,	Mr. J. M. Howard,	Mr. Risdon,
Mr. Buckbee,	Mr. J. Howard,	Mr. Spafford,
Mr. Champlin,	Mr. Kellogg,	Mr. J. R. Smith,
Mr. Cook,	Mr. Moran,	Mr. Vickery,
Mr. Cooley,	Mr. Odell,	Mr. Williams,
Mr. Doty,	Mr. Pray,	23

NAYS.

Mr. Adams,	Mr. Draper,	Mr. McClelland,
Mr. Ball,	Mr. Gantt,	Mr. Montgomery,
Mr. Bement,	Mr. Hotchkiss,	Mr. H. Smith,
Mr. Butler,	Mr. Kent,	Mr. Sheldon,
Mr. Bowman,	Mr. King,	Mr. Thompson,
Mr. Crane,	Mr. Lacey,	Mr. Wakefield,
Mr. Charter,	Mr. Lane,	Mr. Wixom,
Mr. Dorsey,	Mr. Lancaster,	Mr. Wadham,
Mr. Decker,	Mr. Levake,	Mr. Speaker, 27

The question recurring upon the amendment of Mr. Lancaster,

Mr. Buel offered a substitute for the whole bill; Mr. Cook moved to refer the substitute to a select committee of one from each senatorial district, with instructions to report to-morrow morning at half-past nine o'clock, which was decided, by yeas and nays, in the affirmative, as follows:

YEAS.

Mr. Adams,	Mr. Charter,	Mr. Levake,
Mr. Ball,	Mr. Dorsey,	Mr. Moran,
Mr. Burke,	Mr. Doty,	Mr. Montgomery,
Mr. Bement,	Mr. Goodman,	Mr. Odell,
Mr. Buel,	Mr. Gidley,	Mr. Pray,
Mr. Beaufait,	Mr. J. M. Howard,	Mr. Payne,
Mr. Bowman,	Mr. J. Howard,	Mr. Poucher,
Mr. Buckbee,	Mr. Kellogg,	Mr. Risdon,
Mr. Champlin,	Mr. Lacey,	Mr. J. R. Smith,
Mr. Cook,	Mr. Lane,	Mr. Williams,
Mr. Cooley,	Mr. Lancaster,	Mr. Speaker, 33

NAYS.

Mr. Butler,	Mr. Hotchkiss,	Mr. Thompson,
Mr. Crane,	Mr. Kent,	Mr. Wakefield,
Mr. Decker,	Mr. McClelland,	Mr. Wixom,
Mr. Draper,	Mr. H. Smith,	Mr. Wadham, 14
Mr. Ganit,	Mr. Sheldon,	

Whereupon the Chair announced Messrs. Buel, Buckbee, Kellogg and Hotchkiss, as said committee.

The Chair announced a message from the Senate, in the words following :

Mr. SPEAKER—In pursuance of the rules of the Senate, I here-with transmit a bill which has passed the Senate, entitled “A bill to incorporate the Bank of the state of Michigan,” in which the concurrence of the House of Representatives is respectfully requested.

The above bill, transmitted from the Senate, was read the first and second times, and referred to the committee on the judiciary.

The following message was received from the Executive, through C. C. Jackson, Esq., his private secretary :

To the House of Representatives :

I have this day approved and filed in the office of the Secretary of State, the following acts: “An act appointing commissioners to lay out certain state roads;” “An act to amend an act entitled ‘An act to incorporate the village of Ypsilanti;’” “An act to authorize the supervisors of the county of Washtenaw to borrow a sum of money to build a jail;” “An act to attach a part of the county of Sanilac, for judicial purposes, to the county of St. Clair, and for other purposes;” “An act to authorize the building of a

certain dam across the Shiawassee river;" "A resolution relative to the Havre branch railroad;" "An act to amend an act to organize the militia."

STEVENS T. MASON.

March 27, 1838.

On motion, the House adjourned.

Wednesday, March 28.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Comstock.

The roll having been called, and

The proceedings of yesterday having been read,

Mr. Ball presented a petition of sundry inhabitants of Kent county, asking a loan to the banks under the general banking law; referred to the select committee heretofore appointed by the Chair, on that subject.

Mr. Buckbee, from the select committee to whom was referred sundry petitions, in regard to the safety fund banks, made the following report:

The majority of the select committee to whom was referred the petitions of sundry citizens of this state, praying that the solvent banks under the general banking law may be allowed to purchase a portion of the state stock, have had the same under consideration, and believing that such a measure would be repugnant to the best interest of the state, and that it would in fact afford no permanent and lasting relief to the banks or the public, your committee are therefore clearly of the opinion that it is inexpedient to grant the prayer of your petitioners.

W. A. BUCKCEE,
C. LANCASTER,
J. PAYNE,
LEVI COOK,

Mr. Bement, from the committee on banks and incorporations, to whom was referred a bill for the relief of the safety fund banks, made the following report:

The committee on banks and incorporations, to whom was referred a bill for the relief of the safety fund banks, respectfully report the same back to the House without amendment, but a majority of your committee do not recommend its passage.

Mr. Bement, from the committee on banks and incorporations, to whom was referred the bill from the Senate, entitled "A bill to amend an act entitled 'An act to incorporate the village of Niles and the several acts amendatory thereto,'" reported the same back to the House without amendment.

The Chair announced a communication from the Attorney General, transmitting his written opinion, in regard to the Havre Branch railroad company, which was read and laid on the table.

The following message was received from the Senate, through their secretary :

Mr. SPEAKER—In pursuance of the rules of the Senate, I herewith transmit a bill which has passed the Senate, entitled "A bill to provide for the adjustment of claims on the division of townships," in which the concurrence of the House of Representatives is respectfully requested. I am also instructed to inform the House of Representatives, that the Senate have non-concurred in the first amendment made by the House of Representatives to the bill entitled "A bill to provide for the more speedy adjustment of damages consequent upon the location of the central railroad route through the lands of Conrad Ten Eyck and others," and have concurred in the amendment of the House of Representatives to the amendment of the Senate, to the bill entitled "A bill to incorporate the Tecumseh academy." I also herewith return without amendment, the bill entitled "A bill authorizing James Eldredge, a minor, to convey real estate in the state of Michigan, unto James La Tourette."

The bill from the Senate, entitled "A bill to provide for the adjustment of claims on the division of townships," was taken up, read a first and second times, and referred to the committee on claims.

The bill from the Senate, entitled "A bill to provide for the more speedy adjustment of damages consequent upon the location of the central railroad route through the lands of Conrad Ten Eyck, and others," was taken up for consideration, when the

House insisted on their amendment to strike out in section one, line three, the word "Senate," and insert the words "both branches of the legislature," which was non-concurred in by the Senate.

Mr. Buel, from the majority of the select committee to whom was referred the substitute by him offered to the bill entitled "A bill to provide for the continuation of the improvements of the state of Michigan," reported that while they propose no alteration in the aggregate amount of money to be appropriated, they recommend only some slight amendments, affecting the distribution of moneys amongst specific objects of improvements.

The House then took up for consideration, said substitute.

Mr. Champlin moved to amend by adding the following: "also fifty thousand dollars for the improvement of the navigation of the St. Joseph river, and the survey of a canal from the head of slack water navigation of said river, to the Huron river, in Washtenaw county."

Mr. Cook moved to amend the amendment by adding the following: "also, fifty thousand dollars to improve the navigation of the River Rouge, and in building a tow-path thereon," which was decided by yeas and nays, as follows:

YEAS.

Mr. Buel,	Mr. Goodman,	Mr. Levake,
Mr. Champlin,	Mr. Gidley,	Mr. Montgomery,
Mr. Cook,	Mr. J. M. Howard,	Mr. Odell,
Mr. Crane,	Mr. J. Howard,	Mr. Speaker, 12

NAYS.

Mr. Adams,	Mr. Doty,	Mr. McClelland,
Mr. Ball,	Mr. Decker,	Mr. Pray,
Mr. Burke,	Mr. Draper,	Mr. Payne,
Mr. Bement,	Mr. Gantt,	Mr. Poucher,
Mr. Beaufait,	Mr. Hotchkiss,	Mr. H. Smith,
Mr. Butler,	Mr. Kellogg,	Mr. Sheldon,
Mr. Bowman,	Mr. Kent,	Mr. J. R. Smith,
Mr. Buckbee,	Mr. King,	Mr. Thompson,
Mr. Cooley,	Mr. Lacey,	Mr. Wakefield,
Mr. Charter,	Mr. Lane,	Mr. Wixom,
Mr. Dorsey,	Mr. Lancaster,	Mr. Wadham, 33

The question recurring on the amendment, it was decided by yeas and nays, in the negative, as follows :

YEAS.

Mr. Burke,	Mr. Gidley,	Mr. Pray,
Mr. Bowman,	Mr. J. M. Howard,	Mr. Poucher,
Mr. Buckbee,	Mr. J. Howard,	Mr. Risdon,
Mr. Champlin,	Mr. Hotchkiss,	Mr. Spafford,
Mr. Cooley,	Mr. Levake,	Mr. Sheldon,
Mr. Dorsey,	Mr. Montgomery,	Mr. Williams,
Mr. Doty,	Mr. Odell,	Mr. Speaker,
Mr. Goodman,		

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NAYS.

Mr. Adams,	Mr. Decker,	Mr. McClelland,
Mr. Ball,	Mr. Draper,	Mr. Payne,
Mr. Bement,	Mr. Gant,	Mr. H. Smith,
Mr. Buel,	Mr. Kellogg,	Mr. J. R. Smith,
Mr. Beaufait,	Mr. King,	Mr. Thompson,
Mr. Cook,	Mr. Lacey,	Mr. Wakefield,
Mr. Crane,	Mr. Lane,	Mr. Wixom,
Mr. Charter,	Mr. Lancaster,	Mr. Wadham, 24

Mr. Vickery moved to amend by inserting after the word "dollars," in line ten, "to be expended on the western end of said road, between the mouth of the St. Joseph river and the village of Kalamazoo," which was negatived, by yeas and nays, as follows :

YEAS.

Mr. Crane,	Mr. Levake,	Mr. Vickery,
Mr. Kellogg,	Mr. Spafford,	Mr. Speaker, 6

NAYS.

Mr. Adams,	Mr. Decker,	Mr. McClelland,
Mr. Ball,	Mr. Draper,	Mr. Montgomery,
Mr. Burke,	Mr. Goodman,	Mr. Pray,
Mr. Bement,	Mr. Gidley,	Mr. Payne,
Mr. Buel,	Mr. Gant,	Mr. Poucher,
Mr. Beaufait,	Mr. J. M. Howard,	Mr. Risdon,
Mr. Butler,	Mr. J. Howard,	Mr. J. R. Smith,
Mr. Bowman,	Mr. Hotchkiss,	Mr. Thompson,
Mr. Buckbee,	Mr. King,	Mr. Wakefield,
Mr. Champlin,	Mr. Lacey,	Mr. Wixom,
Mr. Cook,	Mr. Lane,	Mr. Williams,
Mr. Charter,	Mr. Lancaster,	Mr. Wadham,
Mr. Dorsey,		37

Mr. Levake moved to amend said bill by adding "ninety thousand dollars for the construction of a ship canal around the Falls of Ste. Marie," pending which question, on motion of Mr. McClelland, said substitute and amendment were laid on the table,

The Chair announced a communication from the Superintendent of Public Instruction, which, having been read, was referred to the committee on education, and ordered to be printed.

The Chair announced a communication from the Treasurer of the state, which, having been read, was laid on the table and ordered to be printed.

Mr. Henry Smith offered the following resolution, which was lost.

Resolved, That the committee on internal improvements enquire into the expediency and propriety of an appropriation for the Havre branch railroad, and report so soon as possible, by bill or otherwise.

On motion, the House adjourned.

AFTERNOON SESSION.

The House met pursuant to adjournment.

The roll having been called,

The Chair announced a message from the Senate in the words following :

Mr. SPEAKER—In pursuance of the rules of the Senate, I herewith return the bill entitled "A bill in relation to supervisors," with an amendment made by the Senate to the amendment made by the House of Representatives to said bill; I also herewith transmit bills which have passed the Senate, entitled "A bill amendatory to an act entitled 'An act relative to the city of Detroit,'" approved April 4th, 1837, and "A bill to provide for the continuation of the construction of the works of internal improvement of the state of Michigan," in which bills and above amendment, the concurrence of the House of Representatives is respectfully requested.

The House took up the bill transmitted from the Senate, entitled "A bill amendatory to an act entitled 'An act relative to the city of Detroit,' approved April 4th, 1837," when, on motion of Mr. Buel, said bill was amended by striking out in section two, the words "all acts and parts of acts," and inserting "all provisions

of law." The rule having been suspended, said bill as amended then passed.

The bill returned from the Senate relative to supervisors, was laid on the table, with the amendment made to the amendment of the House by the Senate.

The bill to provide for the continuation of the construction of the works of internal improvement of the state of Michigan, was read the first and second times and laid on the table.

The Chair announced a message from the Executive in the words following :

To the House of Representatives :

I have this day approved and filed in the office of the Secretary of State, the following acts, viz : "An act to provide for the disposition of prisoners apprehended within the counties of Ionia and Ottawa," "An act to authorize James Eldredge, a minor, to convey real estate, in the state of Michigan," and "An act to provide for taking acknowledgments of deeds and cessions of lands to the people of this state."

STEVENS T. MASON.

March 28, 1838.

Mr. Lancaster moved a reconsideration of the vote taken upon the following resolution submitted by Mr. H. Smith, which was decided in the affirmative:

Resolved, That the committee on internal improvement enquire into the expediency and the propriety of an appropriation for the Havre branch railroad, and report as soon as possible, by bill or otherwise.

Mr. Kellogg then moved to strike out "the propriety," and insert "and legality," pending which question, on motion of Mr. J. M. Howard, said resolution was laid on the table.

Mr. Risdon moved to refer the communication of the Attorney General to the judiciary committee, which did not prevail.

Mr. Crane moved that the House proceed to the consideration of the bill from the Senate entitled "A bill to provide for the continuation of the construction of the works of internal improvement of the state of Michigan," which motion was negatived, by yeas and nays, as follows :

YEAS.

Mr. Adams,
Mr. Ball,
Mr. Bement,
Mr. Butler,
Mr. Crane,
Mr. Decker,
Mr. Draper,

Mr. Gidley,
Mr. Kent,
Mr. King,
Mr. Lancaster,
Mr. Levake,
Mr. McClelland,

Mr. Payne,
Mr. Sheldon,
Mr. Thompson,
Mr. Wakefield,
Mr. Wixom,
Mr. Wadhamns,

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NAYS.

Mr. Burke,
Mr. Buel,
Mr. Beaufait,
Mr. Bowman,
Mr. Buckbee,
Mr. Champlin,
Mr. Cook,
Mr. Cooley,
Mr. Charter,

Mr. Dorsey,
Mr. Doty,
Mr. Goodman,
Mr. Gantt,
Mr. J. M. Howard,
Mr. J. Howard,
Mr. Hotchkiss,
Mr. Kellogg,
Mr. Lacey,

Mr. Montgomery,
Mr. Odell,
Mr. Pray,
Mr. Poucher,
Mr. Risdon,
Mr. H. Smith,
Mr. J. R. Smith,
Mr. Vickery,
Mr. Williams,

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The House then took up the special order of the day, and the question being upon the amendment of Mr. Levake, to insert "ninety thousand dollars for the construction of a ship canal around the falls of St. Marie,"

Mr. Crane moved to amend the amendment by striking out "ninety," which did not prevail. Mr. Kellogg then moved to amend the amendment by striking off from the appropriation for the Saginaw and Maple canal "twenty thousand dollars," and inserting "for the Ste. Marie canal ninety thousand dollars;" also to strike out the appropriation for the northern railroad.

Mr. Crane called for a division of the question, when the question was upon striking out "for the construction of the Saginaw and Maple canal twenty thousand dollars," which did not prevail.

The question being upon striking out the appropriation for the northern railroad, it was decided in the negative.

The question recurring upon the amendment of Mr. Levake, viz: to insert "ninety thousand dollars for the construction of a ship canal around the Falls of Ste. Marie," it was decided in the negative, by yeas and nays, as follows:

YEAS.

Mr. Ball,
Mr. Burke,
Mr. Bement,

Mr. Decker,
Mr. Lancaster,
Mr. Levake,

Mr. Sheldon,
Mr. J. R. Smith,
Mr. Wakefield,

Mr. Butler,
Mr. Champlin,

Mr. Poucher,
Mr. H. Smith,

Mr. Wadham,

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NAYS.

Mr. Adams,	Mr. Gidley,	Mr. Moran,
Mr. Buel,	Mr. Gantt,	Mr. Montgomery,
Mr. Beaufait,	Mr. J. M. Howard,	Mr. Odell,
Mr. Buckbee,	Mr. J. Howard,	Mr. Pray,
Mr. Cooley,	Mr. Hotchkiss,	Mr. Payne,
Mr. Crane,	Mr. Kellogg,	Mr. Risdon,
Mr. Charter,	Mr. Kent,	Mr. Thompson,
Mr. Dorsey,	Mr. Lacey,	Mr. Vickery,
Mr. Doty,	Mr. Lane,	Mr. Wixom,
Mr. Goodman,	Mr. McClelland,	Mr. Williams,

30

Mr. Risdon moved to amend by inserting "to be expended in grubbing and clearing the line of said road," after the word "dollars" in line ten, of section one, which did not prevail.

Mr. Henry Smith moved to amend said bill by adding the following, "thirty thousand dollars for the Havre branch railroad."

Mr. Crane moved to amend the amendment by adding to said amendment "to be deducted from the appropriation to the southern railroad," and the question on the amendment was lost, by yeas and nays, as follows:

YEAS.

Mr. Ball,	Mr. Gidley,	Mr. Montgomery,
Mr. Bement,	Mr. Gantt,	Mr. Odell,
Mr. Buel,	Mr. J. M. Howard,	Mr. Pray,
Mr. Butler,	Mr. Hotchkiss,	Mr. Payne,
Mr. Buckbee,	Mr. Kellogg,	Mr. Poucher,
Mr. Champlin,	Mr. King,	Mr. Risdon,
Mr. Cook,	Mr. Lacey,	Mr. Vickery,
Mr. Cooley,	Mr. Lane,	Mr. Wixom,
Mr. Crane,	Mr. Levake,	Mr. Wadham,
Mr. Decker,		

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NAYS.

Mr. Adams,	Mr. Kent,	Mr. Sheldon,
Mr. Burke,	Mr. Lancaster,	Mr. J. R. Smith,
Mr. Beaufait,	Mr. McClelland,	Mr. Thompson,
Mr. Bowman,	Mr. Moran,	Mr. Wakefield,
Mr. Charter,	Mr. H. Smith,	Mr. Wadham,
Mr. Dorsey,		

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The question recurring upon the amendment of Mr. Henry Smith, it was negatived.

Mr. Buckbee moved to amend by striking out in line twelve of section one, "two hundred and two thousand dollars," and insert "three hundred thousand dollars."

Mr. Gidley moved to amend the amendment, by adding the following : "the appropriations on the other improvements to be increased in the same proportion," which was decided by yeas and and nays as follows :

YEAS.

Mr. Ball,	Mr. Gidley,	Mr. Odell,
Mr. Buel,	Mr. J. M. Howard,	Mr. Payne,
Mr. Buckbee,	Mr. J. Howard,	Mr. Poucher,
Mr. Champlin,	Mr. Kent,	Mr. H. Smith,
Mr. Cook,	Mr. Lacey,	Mr. J. R. Smith,
Mr. Cooley,	Mr. McClelland,	Mr. Wakefield,
Mr. Dorsey,	Mr. Moran,	Mr. Williams, 22
Mr. Goodman,		

NAYS.

Mr. Adams,	Mr. Doty,	Mr. Levake,
Mr. Burke,	Mr. Decker,	Mr. Montgomery,
Mr. Bement,	Mr. Draper,	Mr. Pray,
Mr. Beaufait,	Mr. Gantt,	Mr. Risdon,
Mr. Butler,	Mr. Hotchkiss,	Mr. Sheldon,
Mr. Bowman,	Mr. King,	Mr. Vickery,
Mr. Crane,	Mr. Lane,	Mr. Wixom,
Mr. Charter,	Mr. Lancaster,	Mr. Wadham, 24

The question being upon the amendment of Mr. Buckbee, it was decided, by yeas and nays, as follows ;

YEAS.

Mr. Adams,	Mr. Draper,	Mr. Payne,
Mr. Butler,	Mr. Kellogg,	Mr. Sheldon,
Mr. Buckbee,	Mr. Lane,	Mr. Wixom,
Mr. Crane,	Mr. Levake,	Mr. Wadham,
Mr. Decker,		13

NAYS.

Mr. Ball,	Mr. Goodman,	Mr. Moran,
Mr. Burke,	Mr. Gidley,	Mr. Montgomery,
Mr. Bement,	Mr. Gantt,	Mr. Odell,
Mr. Buel,	Mr. J. M. Howard,	Mr. Pray,
Mr. Beaufait,	Mr. J. Howard,	Mr. Poucher,
Mr. Bowman,	Mr. Hotchkiss,	Mr. H. Smith,
Mr. Champlin,	Mr. Kent,	Mr. J. R. Smith,
Mr. Cook,	Mr. King,	Mr. Thompson,

Mr. Cooley,	Mr. Lacey,	Mr. Vickery,
Mr. Charter,	Mr. Lancaster,	Mr. Wakefield,
Mr. Dorsey,	Mr. McClelland,	Mr. Williams,
Mr. Doty,		

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Mr. Risdon moved to amend by adding the following to said bill, which did not prevail :

"For the improvement of the most difficult points in the St. Joseph river, from its mouth to the Indiana state line, thirty-seven thousand dollars."

Mr. Butler moved to amend said bill by inserting after the words "two hundred and two thousand dollars," "to be expended on the eastern end of said canal," which was decided in the affirmative, as follows ;

YEAS.

Mr. Adams,	Mr. Gidley,	Mr. Pray,
Mr. Burke,	Mr. J. M. Howard,	Mr. Risdon,
Mr. Butler,	Mr. J. Howard,	Mr. H. Smith,
Mr. Bowman,	Mr. Kellogg,	Mr. Sheldon,
Mr. Buckbee,	Mr. King,	Mr. Vickery,
Mr. Champlin,	Mr. Lacey,	Mr. Wixom,
Mr. Cook,	Mr. Lane,	Mr. Williams,
Mr. Decker,	Mr. Moran,	Mr. Wadhamas,
Mr. Goodman,	Mr. Odell,	

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NAYS.

Mr. Ball,	Mr. Dorsey,	Mr. McClelland,
Mr. Bement,	Mr. Doty,	Mr. Montgomery,
Mr. Buel,	Mr. Draper,	Mr. Payne,
Mr. Beaufait,	Mr. Gant,	Mr. Poucher,
Mr. Cooley,	Mr. Hotchkiss,	Mr. J. R. Smith,
Mr. Crane,	Mr. Kent,	Mr. Thompson,
Mr. Charter,	Mr. Lancaster,	Mr. Wakefield,

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Mr. Butler moved further to amend by substituting the following for the entire bill :

"That for the purposes hereinafter mentioned, the following sums are hereby specifically appropriated, to be taken from any moneys which are now, or shall hereafter come into the treasury of this state, to the credit of the internal improvement fund, to wit : for the construction of a canal to unite the waters of the Saginaw with the navigable waters of the Grand or Maple rivers, forty-two thousand dollars ; for making the northern railroad, fifty thou-

sand dollars : for excavating and making the Clinton and Kalamazoo canal, two hundred and twenty thousand dollars ; for the improvement of the Grand and Maple rivers, thirty thousand dollars ; for the improvement of the Kalamazoo river, eight thousand dollars ; for the continuation of the central railroad, three hundred and fifty thousand dollars ; for the continuation of the southern railroad, three hundred and fifty thousand dollars."

The question on the substitute was decided, by yeas and nays, in the negative, as follows :

YEAS.

Mr. Ball,	Mr. Charter,	Mr. Payne,
Mr. Buel,	Mr. Dorsey,	Mr. H. Smith,
Mr. Bowman,	Mr. Lancaster,	Mr. Thompson,
Mr. Champlin,	Mr. McClelland,	Mr. Wakefield,
Mr. Crane,	Mr. Montgomery,	

28

NAYS.

Mr. Adams,	Mr. Gidley,	Mr. Moran,
Mr. Burke,	Mr. Gantt,	Mr. Odell,
Mr. Bement,	Mr. J. M. Howard,	Mr. Pray,
Mr. Beaufait,	Mr. J. Howard,	Mr. Poucher,
Mr. Butler,	Mr. Hotchkiss,	Mr. Risdon,
Mr. Buckbee,	Mr. Kellogg,	Mr. Sheldon,
Mr. Cook,	Mr. Kent,	Mr. J. R. Smith,
Mr. Cooley,	Mr. King,	Mr. Vickery,
Mr. Doty,	Mr. Lacey,	Mr. Wixom,
Mr. Decker,	Mr. Lane,	Mr. Williams,
Mr. Draper,	Mr. Levake,	Mr. Wadham,
Mr. Goodman,		

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Mr. Crane moved further to amend by adding the following proviso to the amendment of Mr. Butler :

Provided, the commissioners of internal improvement shall deem expedient so to expend the same ; pending which question, On motion, the House adjourned.

Thursday, March 29.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Comstock.

The roll having been called, and

The proceedings of yesterday read,

Petitions presented : By Mr. Doty, for an alteration in the village charter of Ann Arbor ; referred to the committee on banks and incorporations. By Mr. Risdon, in relation to the safety fund banks ; referred to the select committee heretofore appointed by the Chair on that subject. By Mr. Montgomery, of William M. Wadsworth in behalf of the Havre branch railroad company, and moved that it be laid on the table and printed, which was negatived.

Mr. Vickery, from the minority of the joint committee of both houses of the legislature, on the location of the northern and southern railroad, reported in relation to the northern railroad, which was laid on the table and ordered to be printed.

[See Document No. 51.]

Mr. Gantt, from the minority of the select committee to whom was referred sundry petitions in relation to the safety fund banks made the following report :

The minority of the select committee to whom was referred the petitions of some ten thousand citizens of Michigan, praying that the solvent banks under the general banking law, may be allowed to purchase a portion of the state stock, have considered the same, and believing that such a measure would to a great extent relieve the commercial embarrassments of the commonwealth —enable the banking institutions of this state to resume specie payments at an early day—give life and energy to trade, and thereby provide labor for the industrious poor—secure a sound currency and advance the best interests of the state of Michigan more effectually than the creation of a state bank, which to say the least of, must be considered a dangerous monopoly in a republican government ; your committee, or a minority of said committee, is clearly of the opinion that it is expedient to grant the prayer of your petitioners, and recommend the passage of the bill for the relief of said banks now before your honorable body.

Mr. J. M. Howard offered the following joint resolution, which was read a first and second times, and according to rule, laid on the table for one day :

Resolved by the Senate and House of Representatives of the State of Michigan, That the Superintendent of Public Instruction be, and he is hereby authorized to furnish to the school inspectors

of each township one copy of the Journal of Education, for the use of said inspectors, and also one copy to the district board of each district, for the use of said board, and to deduct the amount of subscription for said copies from the moneys to be appropriated to each district and township.

On motion of Mr. J. M. Howard, the rule was suspended, and said resolution was read a third time and passed.

Mr. Henry Smith called up the resolution him by submitted, in relation to the Havre branch railroad company, when Mr. Montgomery moved to refer the same, together with the memorial by him this morning submitted, to the committee on internal improvement.

Mr. Buckbee moved to lay the whole subject on the table, which was negatived, by yeas and nays, as follows:

YEAS.

Mr. Beaufait,	Mr. J. M. Howard,	Mr. Odell,
Mr. Buckbee,	Mr. J. Howard,	Mr. Payne,
Mr. Cook,	Mr. King,	Mr. Vickery,
Mr. Goodman,	Mr. Moran,	Mr. Williams,
Mr. Gidley,		

13

NAYS.

Mr. Adams,	Mr. Doty,	Mr. Montgomery,
Mr. Ball,	Mr. Decker,	Mr. Pray,
Mr. Burke,	Mr. Gantt,	Mr. Poucher,
Mr. Bement,	Mr. Hotchkiss,	Mr. Risdon,
Mr. Butler,	Mr. Kellogg,	Mr. H. Smith,
Mr. Bowman,	Mr. Kent,	Mr. Sheldon,
Mr. Champlin,	Mr. Lacey,	Mr. J. R. Smith,
Mr. Cooley,	Mr. Lane,	Mr. Thompson,
Mr. Crane,	Mr. Lancaster,	Mr. Wixom,
Mr. Charter,	Mr. Levake,	Mr. Wadham,
Mr. Dorsey,	Mr. McClelland,	

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The question recurring upon the reference, it was decided in the affirmative, by yeas and nays, as follows:

YEAS.

Mr. Adams;	Mr. Decker,	Mr. Levake,
Mr. Ball,	Mr. Draper,	Mr. McClelland,
Mr. Burke,	Mr. Goodman,	Mr. Moran,
Mr. Bement,	Mr. Gidley,	Mr. Montgomery,
Mr. Buel,	Mr. Gantt,	Mr. Odell,
Mr. Beaufait,	Mr. J. M. Howard,	Mr. Pray,
Mr. Butler,	Mr. J. Howard,	Mr. Poucher,
Mr. Bowman,	Mr. Hotchkiss,	Mr. H. Smith,

Mar. 29.] HOUSE OF REPRESENTATIVES. 877

Mr. Buckbee,	Mr. Kellogg,	Mr. Sheldon,
Mr. Champlin,	Mr. Kent,	Mr. J. R. Smith,
Mr. Cooley,	Mr. King,	Mr. Thompson,
Mr. Charter,	Mr. Lacey,	Mr. Wakefield,
Mr. Dorsey,	Mr. Lane,	Mr. Wixom,
Mr. Doty,	Mr. Lancaster,	Mr. Wadhamas, 49

NAYS.

Mr. Cook,	Mr. Risdon,	Mr. Williams,
Mr. Payne,		4

Mr. Cooley gave notice that he should, at some future day, ask leave to bring in a bill to change the location of that part of the territorial road leading from Detroit to St. Joseph, which runs through the western part of the village of Kalamazoo.

The House then took up the special order of the day, viz: "A bill to provide for the continuation of the improvements of the state of Michigan."

Mr. Kellogg then offered a substitute for the entire bill, when Mr. Crane having withdrawn his amendment yesterday submitted, Mr. McClelland moved to amend the amendment by offering a second substitute, which was adopted, by yeas and nays, as follows:

YEAS.

Mr. Adams,	Mr. Decker,	Mr. Levake,
Mr. Ball,	Mr. Draper,	Mr. McClelland,
Mr. Burke,	Mr. Goodman,	Mr. Montgomery,
Mr. Bement,	Mr. Gantt,	Mr. H. Smith,
Mr. Butler,	Mr. Hotchkiss,	Mr. J. R. Smith,
Mr. Bowman,	Mr. Kent,	Mr. Thompson,
Mr. Crane,	Mr. King,	Mr. Wakefield,
Mr. Charter,	Mr. Lane,	Mr. Wixom,
Mr. Dorsey,	Mr. Lancaster,	Mr. Wadhamas, 27

NAYS.

Mr. Buel,	Mr. Gidley,	Mr. Payne,
Mr. Beaufait,	Mr. J. M. Howard,	Mr. Poucher,
Mr. Buckbee,	Mr. J. Howard,	Mr. Risdon,
Mr. Champlin,	Mr. Kellogg,	Mr. Sheldon,
Mr. Cook,	Mr. Moran,	Mr. Vickery,
Mr. Cooley,	Mr. Odell,	Mr. Williams,
Mr. Doty,	Mr. Pray,	20

Mr. Vickery moved to amend by inserting after the word "dollars," in the thirteenth line, the words following: "to be expended

on that part of said railroad lying west of the village of Flint," which was decided in the negative, by yeas and nays, as follows:

YEAS.

Mr. Burke,	Mr. Dorsey,	Mr. Lacey,
Mr. Buel,	Mr. Doty,	Mr. Lane,
Mr. Beaufait,	Mr. Goodman,	Mr. Moran,
Mr. Bowman,	Mr. Gidley,	Mr. Odell,
Mr. Buckbee,	Mr. Gantt,	Mr. Poucher,
Mr. Champlin,	Mr. J. M. Howard,	Mr. J. R. Smith,
Mr. Cook,	Mr. J. Howard,	Mr. Vickery,
Mr. Cooley,	Mr. King,	Mr. Williams, 24

NAYS.

Mr. Adams,	Mr. Hotchkiss,	Mr. Payne,
Mr. Ball,	Mr. Kellogg,	Mr. Risdon,
Mr. Bement,	Mr. Kept,	Mr. H. Smith,
Mr. Butler,	Mr. Lancaster,	Mr. Sheldon,
Mr. Crane,	Mr. Levake,	Mr. Thompson,
Mr. Charter,	Mr. McClelland,	Mr. Wakefield,
Mr. Decker,	Mr. Montgomery,	Mr. Wixon,
Mr. Draper,	Mr. Pray,	Mr. Wadham, 24

Mr. Buel moved to amend by inserting after the word "appropriated," in line twenty-one, the words "together with the moneys heretofore appropriated."

Mr. Kellogg moved to amend the amendment by inserting after the word "canal," in line twenty-three, the words "and for the northern railroad," which was decided in the negative, by yeas and nays, as follows:

YEAS.

Mr. Burke,	Mr. Hotchkiss,	Mr. Lancaster,
Mr. Bement,	Mr. Kellogg,	Mr. Risdon, 6

NAYS.

Mr. Adams,	Mr. Decker,	Mr. Montgomery,
Mr. Ball,	Mr. Draper,	Mr. Odell,
Mr. Buel,	Mr. Goodman,	Mr. Pray,
Mr. Beaufait,	Mr. Gidley,	Mr. Payne,
Mr. Butler,	Mr. Gantt,	Mr. Poucher,
Mr. Bowman,	Mr. J. M. Howard,	Mr. H. Smith,
Mr. Buckbee,	Mr. J. Howard,	Mr. Sheldon,
Mr. Champlin,	Mr. Kent,	Mr. J. R. Smith,
Mr. Cook,	Mr. King,	Mr. Thompson,
Mr. Cooley,	Mr. Lacey,	Mr. Vickery,
Mr. Crane,	Mr. Lane,	Mr. Wakefield,
Mr. Charter,	Mr. Levake,	Mr. Wixon,

Mr. Dorsey,	Mr. McClelland,	Mr. Williams,
Mr. Doty,	Mr. Moran,	Mr. Wadham, 42

Mr. Payne moved to amend the amendment by striking out all after the word "dollars," in line seventeen; it was decided, by yeas and nays, in the negative, as follows:

YEAS.

Mr. Ball,	Mr. Draper,	Mr. Payne,
Mr. Buckbee,	Mr. Gidley,	Mr. Williams,
Mr. Champlin,	Mr. J. Howard,	8

NAYS.

Mr. Adams,	Mr. Decker,	Mr. Odell,
Mr. Burke,	Mr. Goodman,	Mr. Pray,
Mr. Bement,	Mr. J. M. Howard,	Mr. Poucher,
Mr. Buel,	Mr. Hotchkiss,	Mr. Risdon,
Mr. Beaufait,	Mr. Kellogg,	Mr. H. Smith,
Mr. Butler,	Mr. Kent,	Mr. Sheldon,
Mr. Bowman,	Mr. King,	Mr. J. R. Smith,
Mr. Cook,	Mr. Lacey,	Mr. Thompson,
Mr. Cooley,	Mr. Lane,	Mr. Vickery,
Mr. Crane,	Mr. Lancaster,	Mr. Wakefield,
Mr. Charter,	Mr. McClelland,	Mr. Wixom,
Mr. Dorsey,	Mr. Montgomery,	Mr. Wadham,
Mr. Doty,		87

The question recurring upon the amendment offered by Mr. Buel,

Pending which question,

On motion, the House adjourned.

AFTERNOON SESSION.

The House met pursuant to adjournment.

The roll having been called,

Mr. J. M. Howard, from the committee on enrolment, reported as correctly enrolled, "An act to encourage the manufacture of glass, within the state of Michigan."

A message was received from the Executive informing the House that he would nominate officers of the militia, in accordance with the provisions of the act of March 27, 1838, as soon as it would suit the convenience of both houses to meet in joint convention.

The House then took up the unfinished business of the morning, and the question being upon the amendment offered by Mr.

Buel, viz : to insert after the word "appropriated" in line twenty-one, the words "together with the moneys heretofore appropriated."

Mr. Buckbee moved a call of the House, when leave of absence was granted to Messrs. Goodman and Kellogg, during their illness.

The sergeant-at-arms was then instructed to bring in the absentees.

On motion of Mr. McClelland, further call of the House was suspended, when the amendment of Mr. Buel was adopted.

Mr. Moran moved to amend by adding the following to stand as section two.

"Sec. 2. And in case the revenue arising from either of said railroads or canals, should prove insufficient to pay the interest on the appropriations expended on the same, the tier of counties through which such railroads or canal shall be located, shall alone be liable for the payment of the interest on all appropriations heretofore, now or hereafter to be made on such railroads and canals."

The question on said amendment was decided by yeas and nays, in the negative, as follows :

YEAS.

Mr. Beaufait,	Mr. J. M. Howard,	Mr. Poucher,
Mr. Buckbee,	Mr. J. Howard,	Mr. Risdon,
Mr. Champlin,	Mr. Kellogg,	Mr. Spafford,
Mr. Cook,	Mr. Moran,	Mr. Sheldon,
Mr. Cooley,	Mr. Odell,	Mr. Vickery,
Mr. Doty,	Mr. Payne,	Mr. Williams,
Mr. Gidley,		

19

NAYS.

Mr. Adams,	Mr. Decker,	Mr. McClelland,
Mr. Ball,	Mr. Draper,	Mr. Montgomery,
Mr. Burke,	Mr. Gant,	Mr. Pray,
Mr. Benten,	Mr. Hotchkiss,	Mr. H. Smith,
Mr. Buel,	Mr. Kent,	Mr. J. R. Smith,
Mr. Butler,	Mr. King,	Mr. Thompson,
Mr. Bowman,	Mr. Lacey,	Mr. Wakefield,
Mr. Crane,	Mr. Lane,	Mr. Wixom,
Mr. Charter,	Mr. Lancaster,	Mr. Wadham,
Mr. Dorsey,	Mr. Levake,	

29

Mar. 29.] HOUSE OF REPRESENTATIVES. 31

Mr. Cook moved to amend by striking out all that relates to the northern railroad, in said bill, which was decided in the negative, by yeas and nays, as follows :

YEAS.

Mr. Beaufait,	Mr. Gidley,	Mr. Odell,
Mr. Bowman,	Mr. J. M. Howard,	Mr. Payne,
Mr. Buckbee,	Mr. J. Howard,	Mr. Poucher,
Mr. Cook,	Mr. Lane,	Mr. Vickery,
Mr. Cooley,	Mr. Moran,	Mr. Williams, 15

NAYS.

Mr. Adams,	Mr. Decker,	Mr. Montgomery,
Mr. Ball,	Mr. Draper,	Mr. Pray,
Mr. Burke,	Mr. Ganit,	Mr. Risdon,
Mr. Bement,	Mr. Hotchkiss,	Mr. H. Smith,
Mr. Buel,	Mr. Kellogg,	Mr. Spafford,
Mr. Butler,	Mr. Kent,	Mr. Sheldon,
Mr. Champlin,	Mr. King,	Mr. J. R. Smith,
Mr. Crane,	Mr. Lacey,	Mr. Thompson,
Mr. Charter,	Mr. Lancaster,	Mr. Wakefield,
Mr. Dorsey,	Mr. Levake,	Mr. Wixom,
Mr. Doty,	Mr. McClelland,	Mr. Wadham, 33

Mr. Champlin moved to amend by adding the following to said bill :

"Also forty-five thousand dollars for the improvement of the St. Joseph river, and survey of a canal from the head of slackwater navigation, on said river, to the Huron river, in the county of Washtenaw.

The question on said amendment, was decided by yeas and nays, in the negative, as follows :

YEAS.

Mr. Burke,	Mr. Gidley,	Mr. Risdon,
Mr. Bement,	Mr. J. Howard,	Mr. H. Smith,
Mr. Buel,	Mr. Kellogg,	Mr. Spafford,
Mr. Bowman,	Mr. Kent,	Mr. Sheldon,
Mr. Champlin,	Mr. Levake,	Mr. J. R. Smith,
Mr. Dorsey,	Mr. Poucher,	Mr. Williams,
Mr. Doty,		19

NAYS.

Mr. Adams,	Mr. Draper,	Mr. Montgomery,
Mr. Ball,	Mr. J. M. Howard,	Mr. Odell,
Mr. Beaufait,	Mr. Hotchkiss,	Mr. Pray,

Mr. Butler,
Mr. Buckbee,
Mr. Cook,
Mr. Cooley,
Mr. Crane,
Mr. Charter,
Mr. Decker,

Mr. King,
Mr. Lacey,
Mr. Lane,
Mr. Lancaster,
Mr. McClelland,
Mr. Moran,

Mr. Payne,
Mr. Thompson,
Mr. Vickery,
Mr. Wakefield,
Mr. Wixom,
Mr. Wadhamas,

28

Mr. J. R. Smith moved to amend by adding the following :
“ For the Saginaw and Maple canal, fifty-seven thousand dollars ; for the northern railroad, fifty thousand dollars.”

The question on the above amendment was decided by yeas and nays, in the negative, as follows :

YEAS.

Mr. Ball,
Mr. Buel,
Mr. Beaufait,
Mr. Bowman,
Mr. Buckbee,
Mr. Champlin,
Mr. Cook,
Mr. Cooley,

Mr. Dorsey,
Mr. Gidley,
Mr. J. M. Howard,
Mr. J. Howard,
Mr. Kellogg,
Mr. Kent,
Mr. King,
Mr. Lane,

Mr. Pray,
Mr. Payne,
Mr. Poucher,
Mr. Risdon,
Mr. Spafford,
Mr. J. R. Smith,
Mr. Vickery,
Mr. Williams,

24

NAYS.

Mr. Adams,
Mr. Burke,
Mr. Bement,
Mr. Butler,
Mr. Crane,
Mr. Charter,
Mr. Doty,
Mr. Decker,

Mr. Draper,
Mr. Gantt,
Mr. Hotchkiss,
Mr. Lacey,
Mr. Lancaster,
Mr. Levake,
Mr. McClelland,
Mr. Moran,

Mr. Montgomery,
Mr. Odell,
Mr. H. Smith,
Mr. Sheldon,
Mr. Thompson,
Mr. Wakefield,
Mr. Wixom,
Mr. Wadhamas,

24

Mr. Cook moved to amend by adding “ fifty thousand dollars,” to the appropriation on the central railroad, which was decided by yeas and nays, in the negative, as follows :

YEAS.

Mr. Burke,
Mr. Cook,
Mr. Cooley,
Mr. J. M. Howard,

Mr. J. Howard,
Mr. Levake,
Mr. Moran,
Mr. Payne,

Mr. Spafford,
Mr. Sheldon,
Mr. Williams,

11

NAYS.

Mr. Adams,
Mr. Ball,

Mr. Decker,
Mr. Draper,

Mr. Montgomery,
Mr. Odell,

Mr. Bement,	Mr. Gidley,	Mr. Pray,
Mr. Buel,	Mr. Gant,	Mr. Poucher,
Mr. Beaufait,	Mr. Hotchkiss,	Mr. Risdon,
Mr. Butler,	Mr. Kellogg,	Mr. H. Smith,
Mr. Bowman,	Mr. Kent,	Mr. J. R. Smith,
Mr. Buckbee,	Mr. King,	Mr. Thompson,
Mr. Champlin,	Mr. Lacey,	Mr. Vickery,
Mr. Crane,	Mr. Lane,	Mr. Wakefield,
Mr. Charter,	Mr. Lancaster,	Mr. Wixom,
Mr. Dorsey,	Mr. McClelland,	Mr. Wadham,
Mr. Doty,		

37

Mr. Risdon moved to amend, as follows: "for the Clinton and Kalamazoo canal, one hundred and fifty thousand dollars; for the Detroit and St. Joseph railroad, three hundred thousand dollars: for the southern railroad, three hundred thousand dollars."

The question on said amendment was decided by yeas and nays, in the negative, as follows:

YEAS.

Mr. Beaufait,	Mr. J. M. Howard,	Mr. Payne,
Mr. Buckbee,	Mr. J. Howard,	Mr. Poucher,
Mr. Champlin,	Mr. Kellogg,	Mr. Risdon,
Mr. Cook,	Mr. Montgomery,	Mr. Spafford,
Mr. Dorsey,	Mr. Odell,	Mr. Vickery,
Mr. Doty,	Mr. Pray,	Mr. Williams,
Mr. Gidley,		

19

NAYS.

Mr. Adams,	Mr. Charter,	Mr. Levake,
Mr. Ball,	Mr. Draper,	Mr. McClelland,
Mr. Burke,	Mr. Gant,	Mr. H. Smith,
Mr. Bement,	Mr. Hotchkiss,	Mr. Sheldon,
Mr. Buel,	Mr. Kent,	Mr. J. R. Smith,
Mr. Butler,	Mr. King,	Mr. Thompson,
Mr. Bowman,	Mr. Lacey,	Mr. Wakefield,
Mr. Cooley,	Mr. Lane,	Mr. Wixom,
Mr. Crane,	Mr. Lancaster,	Mr. Wadham,

27

Mr. Buckbee moved that said bill be laid on the table, which was negatived, by yeas and nays, as follows:

YEAS.

Mr. Beaufait,
Mr. Buckbee,
Mr. Cook,
Mr. Gidley,

Mr. J. M. Howard, Mr. Spafford,
Mr. J. Howard, Mr. Vickery,
Mr. Moran, Mr. Williams,

10

NAYS.

Mr. Adams,
Mr. Ball,
Mr. Burke,
Mr. Bement,
Mr. Buel,
Mr. Butler,
Mr. Bowman,
Mr. Champlin,
Mr. Cooley,
Mr. Crane,
Mr. Charter,
Mr. Dorsey,
Mr. Doty,

Mr. Decker,
Mr. Draper,
Mr. Gantt,
Mr. Hotchkiss,
Mr. Kellogg,
Mr. Kent,
Mr. King,
Mr. Lacey,
Mr. Lane,
Mr. Lancaster,
Mr. Levake,
Mr. McClelland,
Mr. Montgomery,

Mr. Odell,
Mr. Pray,
Mr. Payne,
Mr. Poucher,
Mr. Risdon,
Mr. H. Smith,
Mr. Sheldon,
Mr. J. R. Smith,
Mr. Thompson,
Mr. Wakefield,
Mr. Wixom,
Mr. Wadham,

38

Mr. Gantt moved the previous question, when the question being "shall the main question be now put," it was decided in the affirmative, by yeas and nays, as follows :

YEAS.

Mr. Adams,
Mr. Burke,
Mr. Bement,
Mr. Butler,
Mr. Bowman,
Mr. Crane,
Mr. Charter,
Mr. Dorsey,
Mr. Decker,

Mr. Draper,
Mr. Gantt,
Mr. J. Howard,
Mr. Hotchkiss,
Mr. Kent,
Mr. King,
Mr. Lancaster,
Mr. Levake,
Mr. McClelland,

Mr. Poucher,
Mr. H. Smith,
Mr. Sheldon,
Mr. J. R. Smith,
Mr. Thompson,
Mr. Wakefield,
Mr. Wixom,
Mr. Wadham,

28

NAYS.

Mr. Ball,
Mr. Buel,
Mr. Beaufait,
Mr. Buckbee,
Mr. Champlin,
Mr. Cook,
Mr. Cooley,
Mr. Doty,

Mr. Gidley,
Mr. J. M. Howard,
Mr. Kellogg,
Mr. Lacey,
Mr. Lane,
Mr. Moran,
Mr. Montgomery,

Mr. Odell,
Mr. Pray,
Mr. Payne,
Mr. Risdon,
Mr. Spafford,
Mr. Vickery,
Mr. Williams,

23

The question on ordering said bill to a third reading was decided, by yeas and nays, in the affirmative, as follows :

YEAS.

Mr. Adams,	Mr. Doty,	Mr. Levake,
Mr. Ball,	Mr. Decker,	Mr. McClelland,
Mr. Burke,	Mr. Draper,	Mr. Montgomery,
Mr. Bement,	Mr. Ganit,	Mr. Payne,
Mr. Buel,	Mr. Hotchkiss,	Mr. H. Smith,
Mr. Butler,	Mr. Kellogg,	Mr. Sheldon,
Mr. Bowman,	Mr. Kent,	Mr. J. R. Smith,
Mr. Champlin,	Mr. King,	Mr. Thompson,
Mr. Crane,	Mr. Lacey,	Mr. Wakefield,
Mr. Charter,	Mr. Lane,	Mr. Wixom,
Mr. Dorsey,	Mr. Lancaster,	Mr. Wadham, 33

NAYS.

Mr. Beaufait,	Mr. J. Howard,	Mr. Risdon,
Mr. Buckbee,	Mr. Moran,	Mr. Spafford,
Mr. Cooley,	Mr. Odell,	Mr. Vickery,
Mr. Gidley,	Mr. Pray,	Mr. Williams,
Mr. J. M. Howard,	Mr. Poucher,	14

The bill was then read a third time and passed, by yeas and nays, as follows :

YEAS.

Mr. Adams,	Mr. Doty,	Mr. Levake,
Mr. Ball,	Mr. Decker,	Mr. McClelland,
Mr. Burke,	Mr. Draper,	Mr. Montgomery,
Mr. Bement,	Mr. Ganit,	Mr. H. Smith,
Mr. Buel,	Mr. Hotchkiss,	Mr. Sheldon,
Mr. Butler,	Mr. Kent,	Mr. J. R. Smith,
Mr. Bowman,	Mr. King,	Mr. Thompson,
Mr. Champlin,	Mr. Lacey,	Mr. Wakefield,
Mr. Crane,	Mr. Lane,	Mr. Wixom,
Mr. Charter,	Mr. Lancaster,	Mr. Wadham, 31
Mr. Dorsey,		

NAYS.

Mr. Beaufait,	Mr. J. Howard,	Mr. Poucher,
Mr. Buckbee,	Mr. Kellogg,	Mr. Risdon,
Mr. Cook,	Mr. Moran,	Mr. Spafford,
Mr. Cooley,	Mr. Odell,	Mr. Vickery,
Mr. Gidley,	Mr. Pray,	Mr. Williams,
Mr. J. M. Howard,	Mr. Payne,	16

The Chair announced a communication from the Bank Commissioners, transmitting a report relative to the condition of the Farmers' bank of Genesee county, which was ordered to be printed in the several city papers.

[See Document No. 52.]

The Chair announced a message from the Senate, in the words following :

Mr. SPEAKER—In pursuance of the rules of the Senate, I herewith return without amendment, the bills entitled "A bill to organize certain townships, and for other purposes;" "A bill for the apportionment of members of the House of Representatives of this state, and for the arrangement of the Senate districts;" "A bill making appropriations to defray the expenses of the militia, and for repairing the state arms," and "A bill legalizing the erection and maintaining of a dam across the Kalamazoo river." I also herewith return the "joint resolution relative to masters in chancery and notaries public," with an amendment made thereto by the Senate, in which the concurrence of the House of Representatives is respectfully requested.

The resolution returned from the Senate, was, on motion, laid on the table, together with the amendment made thereto.

The Chair announced a message from the Executive, in the words following :

To the House of Representatives :

I have this day approved and filed in the office of the Secretary of State, the following acts, viz: "An act amendatory to an act entitled 'An act relative to the city of Detroit,' approved April 4, 1837;" "An act to impose certain duties on the several county commissioners, and for other purposes."

STEVENS T. MASON.

March 29, 1838.

The Chair announced a message from the Senate in the words following :

Mr. SPEAKER—In pursuance of the rules of the Senate, I herewith return, without amendment, the resolution from the House of Representatives entitled "A joint resolution relative to furnish-

ing the school inspectors of each township, and each school district, with one copy of the Journal of Education."

On motion, the House adjourned.

Friday, March 30.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Comstock.

The roll having been called, and

The proceedings of yesterday having been read,

Leave of absence was granted to Mr. Buel for one day; to Messrs. Bement, and Poucher, until Monday next.

Mr. Cook presented a petition of sundry citizens of Hamtramck relative to the damages sustained in consequence of the extension of Jefferson avenue; referred to the committee on roads and bridges.

Mr. Lane presented a claim from B. C. Cox, for services as assistant engineer, together with a memorial on that subject; referred to the committee on claims.

Mr. Spafford presented sundry petitions, praying the repeal of the several laws granting license for the sale of ardent spirits; laid on the table.

Mr. McClelland, from the committee on internal improvement, to which was referred sundry petitions in relation to the Mt. Clemens and Kalamazoo canal, reported that the same subject had been acted upon in the House, and requires no further legislation; also, to which was referred a petition from sundry inhabitants of the counties of Genesee and Lapeer, praying an appropriation to improve Flint river, reported adverse to the prayer of the petitioners; also, to which was referred a bill from the Senate, entitled "A bill to amend an act entitled 'An act to incorporate the Detroit and Shiawassee railroad company,'" reported the same to the House without amendment; also, to which was referred "A bill for the relief of the River Raisin and Grand river railroad company," reported the same to the House without amendment; also, to which was referred sundry petitions for a

canal from Howell to Lyons, and a petition for a canal from the village of Owasso to the Lookingglass river, reported adverse to the prayer of the petitioners; also, to which was referred "A bill to incorporate the Jonesville and Jacksonburgh railroad company," reported the same to the House with sundry amendments, which was laid on the table; also, to which was referred a petition for a canal around the rapids of Grand river, reported that the subject had been acted upon by the House, and required no further legislation.

Mr. Crane, from the committee on internal improvement, to which was referred the memorial from the agent of the Havre Branch railroad company, reported "A bill to provide for the construction of the Havre Branch railroad," which was read a first and second times and laid on the table.

Mr. Crane, according to notice given and leave granted, introduced "A bill authorizing the board of supervisors of the county of Livingston to borrow a certain sum of money," which was read the first and second times and laid on the table.

Mr. Ball offered the following joint resolution, which was read the first and second times and laid on the table, according to rule, for one day.

Resolved by the Senate and House of Representatives, of the State of Michigan, That the circuit court for the county of Ottawa, shall be held, until otherwise directed, at such place in the village of Grand Haven, in said county, as the supervisors or commissioners of the same shall provide, and that such county officers, as by law are required to keep their offices at the seat of justice of their respective counties, shall keep the same at the said village of Grand Haven until otherwise directed.

On motion of Mr. Lancaster,

Resolved, That there be appointed by the Speaker pro tem. an assistant enrolling clerk, for the remainder of the session.

Mr. Buckbee offered the following joint resolution, which was read the first and second times and laid on the table, according to rule, for one day:

Resolved by the Senate and House of Representatives, That the committee of conference to whom was referred the bill entitled "An act to suspend the act entitled 'An act to organize and regu-

late banking associations,' and the act to amend the same," be and they are hereby requested to meet and confer together upon the matters of difference between the two houses in relation to the same, and report the result of their deliberation to both houses, agreeable to the fifth joint rule of the same, forthwith.

The rule having been suspended, said resolution was read the third time and passed.

Mr. Cooley, according to notice given and leave granted, introduced "A bill to change the location of the territorial road at the west end of the village of Kalamazoo," which having been read the first and second times, on motion, the rule was suspended, and said bill was read the third time and passed.

The Chair announced a communication from the Auditor General, transmitting a statement of the Hon. B. F. H. Witherell, which was referred to the committee on claims.

On motion of Mr. Champlin, a committee of two were appointed, consisting of Messrs. Champlin and Gant, to wait upon the Senate and inform them that the House was ready to meet them in joint convention, this day at eleven o'clock, A. M. to receive nominations from the Executive for the appointment of militia officers, in accordance with the provisions of the act of March 27, 1838.

A committee was announced from the Senate informing the House, that the Senate would meet the House in joint assembly, at eleven o'clock, agreeable to appointment.

On motion of Mr. Champlin, the bill entitled "A bill to incorporate the Bank of the state of Michigan," was made the special order of the day for to-morrow.

On motion of Mr. Kellogg, the bill entitled "A bill for the relief of the Allegan and Marshall railroad company," was made the special order for the afternoon of this day.

The House then resolved itself into a committee of the whole, Mr. Butler in the chair, upon the bill entitled "A bill to create a board of commissioners of loans," and after some time spent thereon, the committee rose, and through their chairman, reported progress, and asked obtained leave to sit again.

The Chair announced a message from the Senate, in the words following:

Mr. SPEAKER—In pursuance of the rules of the Senate, I here-with transmit a bill which has passed the Senate, entitled “A bill to provide for the sales of land for taxes, and the conveyance and redemption thereof, and for other purposes,” in which the concurrence of the House of Representatives is respectfully requested.

The bill transmitted from the Senate, entitled as above, was taken up, read the first and second times, and referred to the committee on the judiciary.

The House then took up the joint resolution, relative to masters in chancery, and notaries public, with an amendment made thereto by the Senate, which were concurred in.

Said resolution, as amended, then passed.

Mr. Spafford, according to notice given and leave granted, introduced a bill entitled “A bill to regulate the terms of the circuit court in the county of Lenawee,” which was read the first and second times, when, on his motion, the rule was suspended, and said bill was read the third time and passed.

The House then took up bill number seventy-five, entitled “A bill supplementary to an act authorizing the construction of a ship canal around the Falls of Ste. Marie.”

On motion of **Mr. Levake**, section one was amended by striking out the word “June,” in line five, and inserting “November.”

On motion of **Mr. Butler**, said bill was further amended by inserting in line four, section one, after the word “whole,” the words “or a part.”

Mr. Crane moved to amend by striking out the word “ninety,” in the first line of section two.

Mr. Smith moved to amend the amendment by inserting “fifty,” in lieu thereof, which was negatived.

The question recurring upon the amendment of **Mr. Crane**, it was decided in the affirmative, by yeas and nays, as follows:

YEAS.

Mr. Ball,	Mr. Gidley,	Mr. Montgomery,
Mr. Beaufait,	Mr. J. M. Howard,	Mr. Pray,
Mr. Bowman,	Mr. J. Howard,	Mr. Payne,
Mr. Buckbee,	Mr. Hotchkiss,	Mr. Sheldon,
Mr. Cooley,	Mr. Kent,	Mr. J. R. Smith,
Mr. Charter,	Mr. Lacey,	Mr. Vickery,
Mr. Doty,	Mr. McClelland,	Mr. Williams.

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20

NAYS.

Mr. Adams,	Mr. Kellogg,	Mr. H. Smith,
Mr. Butler,	Mr. Lane,	Mr. Spafford,
Mr. Champlin,	Mr. Lancaster,	Mr. Thompson,
Mr. Dorsey,	Mr. Levake,	Mr. Wixom,
Mr. Decker,	Mr. Risdon,	Mr. Wadham,
Mr. Gant,		

16

Said bill was then laid on the table.

IN JOINT CONVENTION.

The honorable the Senate having been conducted to their seats, on motion of Mr. Kingsley, of the Senate, a committee was appointed, consisting of Mr. Kingsley, of the Senate, and Mr. Smith, of the House, to wait upon the Governor and inform him that both houses had met in joint convention, and were ready to receive any nomination for militia officers he might make.

The committee returned and informed the convention that they had performed the duty assigned them, and received for answer that the Executive would communicate forthwith.

The following message was received from the Executive through C. C. Jackson, Esq. his private secretary :

[See *Senate Journal.*]

Mr. Cook moved the convention consider the nominations separately, which was decided in the affirmative.

Mr. McKey moved that the yeas and nays be taken upon the several nominations, which did not prevail.

The nominations of the Executive were then severally confirmed, with the exception of Jonathan D. Davis for brigadier general of the second brigade, and James Bucklin for colonel of the second regiment.

Mr. King, from the Senate, moved to reconsider the vote taken by which the convention confirmed the nomination of George Howe, which was decided, by yeas and nays, in the negative, as follows :

(*Vote of the Senate.*)

YEAS.

Mr. Barry,	Mr. Kercheval,	Mr. Wing,
Mr. Bartow,	Mr. McKey,	Mr. Woodbridge,

6

NAYS.

Mr. Bradford,
Mr. Cooper,

Mr. Curtis,
Mr. Kingsley,

Mr. Moore,
Mr. Summers, 6

(*Vote of the House.*)

YEAS.

Mr. Adams,
Mr. Crane,
Mr. Draper,

Mr. J. M. Howard, Mr. Montgomery,
Mr. J. Howard, Mr. Wixom,

8

NAYS.

Mr. Ball,
Mr. Beaufait,
Mr. Butler,
Mr. Bowman,
Mr. Buckbee,
Mr. Champlin,
Mr. Cook,
Mr. Charter,
Mr. Dorsey,
Mr. Doty,
Mr. Decker,

Mr. Gidley,
Mr. Gantt,
Mr. Hotchkiss,
Mr. Kellogg,
Mr. Kent,
Mr. Lacey,
Mr. Lancaster,
Mr. Levake,
Mr. McClelland,
Mr. Odell,
Mr. Pray,

Mr. Payne,
Mr. Risdon,
Mr. H. Smith,
Mr. Spafford,
Mr. Sheldon,
Mr. J. R. Smith,
Mr. Thompson,
Mr. Wakefield,
Mr. Williams,
Mr. Wadham,

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Mr. J. M. Howard, of the House, moved to reconsider the vote by which the House confirmed the nomination of Calvin C. Parks, which was decided by yeas and nays, in the affirmative, as follows:

(*Vote of the Senate.*)

YEAS.

Mr. Bradford,
Mr. Clark,
Mr. Curtis,

Mr. Kercheval,
Mr. Kingsley,
Mr. McKey,

Mr. Wing,
Mr. Woodbridge,

8

NAYS.

Mr. Barry,
Mr. Cooper,

Mr. Moore,

Mr. Summers,

4

(*Vote of the House.*)

YEAS.

Mr. Beaufait,
Mr. Butler,
Mr. Champlin,
Mr. Cook,
Mr. Cooley,

Mr. J. M. Howard,
Mr. J. Howard,
Mr. Hotchkiss,
Mr. Kellogg,
Mr. Lane,

Mr. Odell,
Mr. Pray,
Mr. Risdon,
Mr. H. Smith,
Mr. Spafford,

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Mr. Charter,	Mr. McClelland,	Mr. J. R. Smith,
Mr. Decker,	Mr. Moran,	Mr. Thompson,
Mr. Draper,	Mr. Montgomery,	Mr. Vickery,
Mr. Gidley,		25

NAYS.

Mr. Adams,	Mr. Doty,	Mr. Pray,
Mr. Ball,	Mr. Gantt,	Mr. Wakefield,
Mr. Buckbee,	Mr. Kent,	Mr. Wixom,
Mr. Crane,	Mr. Lancaster,	Mr. Wadham,
Mr. Dorsey,	Mr. Levake,	

14

Mr. Bradford, from the Senate, moved to refer the subject to a committee of six, three from the House and three from the Senate, which did not prevail.

The question recurring upon the confirmation of the nomination of Mr. Parks, it was decided, by yeas and nays, in the negative, as follows :

(*Vote of the Senate.*)

YEAS.

Mr. Barry,	Mr. Cooper,	Mr. Summers,
Mr. Bartow,	Mr. Kingsley,	Mr. Wing,
Mr. Clark,	Mr. Moore,	

8

NAYS.

Mr. Bradford,	Mr. Kercheval,	Mr. Woodbridge,
Mr. Curtis,	Mr. McKey,	

5

(*Vote of the House.*)

YEAS.

Mr. Adams,	Mr. Gantt,	Mr. Risdon,
Mr. Buckbee,	Mr. Kent,	Mr. H. Smith,
Mr. Crane,	Mr. Lancaster,	Mr. Wakefield,
Mr. Dorsey,	Mr. Levake,	Mr. Wixom,
Mr. Doty,	Mr. Payne,	Mr. Wadham,

15

NAYS.

Mr. Beaufait,	Mr. J. Howard,	Mr. Odell,
Mr. Burke,	Mr. Hotchkiss,	Mr. Pray,
Mr. Cook,	Mr. Kellogg,	Mr. Spafford,
Mr. Decker,	Mr. Lane,	Mr. J. R. Smith,
Mr. Draper,	Mr. McClelland,	Mr. Thompson,
Mr. Gidley,	Mr. Montgomery,	Mr. Vickery,
Mr. J. M. Howard,		

19

Mr. Barry, from the Senate, moved that a committee of two be appointed to wait upon the Executive and inform him of the rejections, whereupon the President of the Senate, announced Mr. Kingsley, from the Senate, and Mr. Henry Smith, from the House of Representatives as said committee.

The committee returned and informed the convention that they had performed the duty assigned them, and received for answer that the Executive would nominate forthwith.

The following message was received from the Executive through C. C. Jackson, Esq., his private secretary :

[See *Senate Journal.*]

The convention then confirmed the above nominations, when, on motion, the convention adjourned.

HOUSE OF REPRESENTATIVES.

On motion of Mr. Butler, the House adjourned.

AFTERNOON SESSION.

The House met pursuant to adjournment.

The roll having been called, leave of absence was granted to Mr. Vickery and Mr. Sheldon, for the balance of this day.

Mr. J. M. Howard, from the committee on enrolment, reported as correctly enrolled the following acts, viz :

"An act to incorporate the Auburn and Lapeer railroad company," "An act to legalize the erection and maintenance of a dam across the Kalamazoo river, in the village of Marshall," An act making appropriations to defray the expenses of the militia, and for repairing the state arms," "An act to organize certain townships, and for other purposes," and "An act relative to the appointment of collectors of tolls and prescribing their duties."

Mr. Buel, from the committee on the judiciary, made the following report :

The committee on the judiciary, to whom was referred the petition of sundry citizens of Ypsilanti, in the county of Washtenaw, touching the transportation of goods, wares and merchandize, upon the state central railroad, have had the same under consideration, and respectfully report and recommend the adoption of the following resolution, to wit :

Resolved, That the acting commissioner on the state central railroad be, and he is hereby, directed, with as little delay as possible, to present to this House a copy of the contract made in behalf of the state with David C. McKinstry, for the construction of so much of said road, as lies between Ypsilanti and Ann Arbor.

All which is respectfully submitted.

A. W. BUEL, *Chairman.*

March 30, 1838.

The question on the adoption of said resolution, was decided in the affirmative.

Also from the same committee, to which was referred a bill to provide for proceedings in chancery, in certain cases, reported the same to the House without amendment.

The House then took up the special order of the day, viz': the bill entitled "A bill authorizing a loan of one hundred thousand dollars, for the relief of the Allegan and Marshall railroad company."

Mr. Kellogg moved to fill the blank in line nine, with the word "six," which was decided in the affirmative.

On motion of Mr. Buel, said bill was further amended by adding the following to stand as section nine: "To entitle the said company to receive any of the proceeds of the said loan or loans, within sixty days from the passage of this act, the stockholders or directors of the same shall execute and file in the office of the Secretary of State a good and sufficient quit claim or assignment to this state of all the corporate rights, privileges, and franchises of said company, appertaining to so much of the said railroad as lies between the villages of Kalamazoo and Marshall, said quit claim or assignment to be first approved by the Governor and Attorney General."

Mr. Crane moved to amend by adding the following to stand as section nine:

"And be it further enacted, that the said Marshall and Allegan railroad company shall not hereafter ask further or additional aid from the state for the construction or completion of said railroad."

The question on the amendment was decided by yeas and nays, in the negative, as follows :

YEAS.

Mr. Butler,
Mr. Crane,
Mr. Decker,

Mr. Draper,
Mr. Lacey,

Mr. Levake,
Mr. Speaker,

7

NAYS.

Mr. Adams,
Mr. Ball,
Mr. Buel,
Mr. Beaufait,
Mr. Bowman,
Mr. Buckbee,
Mr. Champlin,
Mr. Doty,
Mr. Gantt,
Mr. J. M. Howard,

Mr. J. Howard,
Mr. Hotchkiss,
Mr. Kellogg,
Mr. Kent,
Mr. King,
Mr. Lane,
Mr. Lancaster,
Mr. McClelland,
Mr. Odell,
Mr. Pray,

Mr. Payne,
Mr. Risdon,
Mr. H. Smith,
Mr. Spafford,
Mr. J. R. Smith,
Mr. Thompson,
Mr. Wakefield,
Mr. Wixom,
Mr. Wadham,
Mr. Williams,

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Said bill was then ordered to be engrossed for a third reading, by yeas and nays, as follows :

YEAS.

Mr. Adams,
Mr. Ball,
Mr. Buel,
Mr. Bowman,
Mr. Buckbee,
Mr. Champlin,
Mr. Cooley,

Mr. Doty,
Mr. J. M. Howard,
Mr. J. Howard,
Mr. Hotchkiss,
Mr. Kellogg,
Mr. King,
Mr. Levake,

Mr. Pray,
Mr. Payne,
Mr. Risdon,
Mr. H. Smith,
Mr. Spafford,
Mr. Williams,
Mr. Speaker,

21

NAYS.

Mr. Crane,
Mr. Decker,
Mr. Kent,
Mr. Lacey,
Mr. Lane,

Mr. Lancaster,
Mr. McClelland,
Mr. Moran,
Mr. Odell,

Mr. Thompson,
Mr. Wakefield,
Mr. Wixom,
Mr. Wadham,

13

The rule having been suspended, said bill was then passed, by yeas and nays, as follows :

YEAS.

Mr. Adams,
Mr. Ball,
Mr. Buel,
Mr. Beaufait,
Mr. Bowman,
Mr. Champlin,
Mr. Cooley,

Mr. Gidley,
Mr. Gantt,
Mr. Hotchkiss,
Mr. Kellogg,
Mr. King,
Mr. Levake,

Mr. Pray,
Mr. Payne,
Mr. Risdon,
Mr. H. Smith,
Mr. Spafford,
Mr. Williams,

19

NAYS.

Mr. Butler,	Mr. Kent,	Mr. Odell,
Mr. Crane,	Mr. Lacey,	Mr. Thompson,
Mr. Doty,	Mr. Lane,	Mr. Wakefield,
Mr. Decker,	Mr. Lancaster,	Mr. Wixom,
Mr. Draper,	Mr. McClelland,	Mr. Wadhams,
Mr. J. M. Howard,		16

Mr. J. M. Howard, from the committee on enrolment, reported as correctly enrolled, the following acts, viz : "An act to provide for the further construction of certain works of internal improvement, and for other purposes," and a "joint resolution with regard to masters in chancery," &c.

The Speaker announced a message from the Senate, in the words following :

Mr. SPEAKER—In pursuance of the rules of the Senate, I here-with transmit a bill which has passed the Senate, entitled "A bill to authorize the supervisors of the county of Kalamazoo to borrow a certain sum of money," in which the concurrence of the House of Representatives is respectfully requested.

The bill transmitted from the Senate, entitled as above, was taken up, read a first and second times, and laid on the table.

Mr. Butler, from the committee of conference, made the following report :

The committee of conference appointed on the part of the House, on the disagreement between the two houses, on the bill entitled "A bill to amend an act entitled 'An act to amend an act to organize and regulate banking associations, and for other purposes,' and to suspend the operation of the same," have instructed me to report, that they have conferred with the committee on the part of the Senate, and that they could not agree. The committee would therefore respectfully ask to be discharged from the subject, and ask the appointment of a second committee of conference.

On motion, the House adjourned.

Saturday, March 31,

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Comstock.

The roll having been called, and
The proceedings of yesterday having been read,
Leave of absence was granted to Messrs. Pray, Buckbee, Kellogg and Decker, until Monday next, and Mr. Charter until Tuesday next.

Mr. Crane presented a petition of sundry inhabitants of Livingston county, for the passage of a law authorizing the erection of county buildings, which was laid on the table.

Mr. Risdon, from the committee on roads and bridges, to whom was referred the petition of sundry citizens of Hamtramck, for damages sustained in consequence of the extension of Jefferson avenue, reported the same back to the House, and moved its reference to the committee on claims, which was decided in the affirmative.

Mr. Butler, from the committee on the judiciary, to which was referred the bill from the Senate entitled "A bill to provide for the sales of land for taxes, and the conveyance and redemption thereof, and for other purposes," reported the same to the House without amendment.

Mr. Ball called up the joint resolution, by him yesterday submitted, directing the place for holding the circuit courts in the county of Ottawa.

Mr. Crane moved to amend by striking out "Grand Haven," in line six of said resolution, which did not prevail.

Said resolution was then read a third time and passed.

Mr. McClelland offered the following joint resolution, which was read a first and second times, and according to rule, laid on the table for one day:

Resolved by the Senate and House of Representatives of the State of Michigan, That the board of commissioners on internal improvement be and they are hereby directed to curve the southern railroad so that the same may run to, or as near as practicable, to the village of Dundee in the county of Monroe.

The rule having been suspended, said resolution was read a third time and passed.

On motion of Mr. Lancaster,

Resolved, That the committee on enrolment be, and they are hereby authorized to employ such assistant enrolling clerks during

the present session, as they may deem necessary : also to discharge the same when they may deem it expedient.

Mr. Montgomery offered the following joint resolution, which was read a first and second times, and according to rule, laid on the table for one day :

Resolved by the Senate and House of Representatives, That the commissioners of internal improvement be, and they are hereby, authorized and directed to curve the southern railroad so as to approach as near as practicable without materially changing the grades, to the village of Jonesville, in the county of Hillsdale.

Mr. Hotchkiss moved to amend said resolution by inserting after the words "village of," the words " Medina in the county of Lena-wee and," which was decided in the affirmative.

Mr. Thompson moved further to amend by adding the words following to said resolution, viz : " if in the opinion of the commissioners such curve would subserve the interests of the state," which was decided in the affirmative.

The rule having been suspended, said resolution as amended, then passed, by yeas and nays, as follows :

YEAS.

Mr. Adams,	Mr. Doty,	Mr. Moran,
Mr. Ball,	Mr. Draper,	Mr. Montgomery,
Mr. Burke,	Mr. Gidley,	Mr. Odell,
Mr. Buel,	Mr. J. M. Howard,	Mr. Risdon,
Mr. Beaufait,	Mr. J. Howard,	Mr. H. Smith,
Mr. Champlin,	Mr. Hotchkiss,	Mr. Spafford,
Mr. Cook,	Mr. King,	Mr. Sheldon,
Mr. Cooley,	Mr. Lacey,	Mr. J. R. Smith,
Mr. Crane,	Mr. Lane,	Mr. Williams,
Mr. Dorsey,	Mr. Levake,	Mr. Speaker, 80

NAYS.

Mr. Kent,	Mr. Payne,	Mr. Wakefield,
Mr. Lancaster,	Mr. Thompson,	Mr. Wixom,
Mr. McClelland,		7

The Chair announced a message from the Senate, in the words following :

Mr. SPEAKER—In pursuance of the rules of the Senate, I am instructed to inform the House of Representatives, that Messrs. Curtis, McKey and Moore, have been appointed a committee of conference on the part of the Senate, on the disagreement between

the two Houses on the bill entitled "A bill to organize certain townships, and for other purposes," and that the appointment of a like committee on the part of the House of Representatives, is respectfully requested.

The Chair announced Messrs. Spafford, Crane and Wixom, as a committee of conference on the part of the House, on the disagreement between the two houses on the "bill to organize certain townships, and for other purposes."

The Chair announced a message from the Senate, in the words following:

Mr. SPEAKER—In pursuance of the rules of the Senate, I here-with return, without amendment, the bills entitled "A bill to provide for the further construction of certain works of internal improvement, and for other purposes," and "A bill to incorporate the mechanical association of the city of Saginaw." I also here-with return the bills entitled "A bill to amend an act entitled 'An act to incorporate the village of Tecumseh,'" and "A bill to organize certain townships, and for other purposes," with amendments made thereto by the Senate, in which the concurrence of the House of Representatives is respectfully requested.

The bill to amend an act entitled "An act to incorporate the village of Tecumseh," and the bill "to organize certain townships, and for other purposes," together with the amendments made thereto by the Senate, were laid on the table.

The Chair announced a message from the Senate in the words following :

Mr. SPEAKER—In pursuance of the rules of the Senate, I here-with return chapter _____ of title six of part third of the revision of the laws, and the bills entitled "A bill to incorporate the Ypsilanti and Tecumseh railroad company," and "A bill to amend an act entitled 'An act to regulate and define the powers of justices of the peace and constables, in civil cases,'" each with amendments made thereto by the Senate, in which the concurrence of the House of Representatives is respectfully requested. I also here-with transmit a bill which passed the Senate, entitled "A bill to give immediate effect to certain parts of the revised statutes," in which the concurrence of the House is also respectfully requested. I am also instructed to inform the House of Representatives that

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the Senate have receded from their amendment to the bill from the House of Representatives, entitled "A bill to amend an act entitled 'An act to amend an act to organize and regulate banking associations, and for other purposes,' and to suspend the operation of the same."

Chap. of title six and title seven of part third of the revision of the laws, and "A bill to amend an act entitled 'An act to regulate and define the powers of justices of the peace and constables in civil cases,'" were severally laid on the table, together with the amendments made thereto by the Senate.

The bill to incorporate the Ypsilanti and Tecumseh railroad company, was taken up for consideration, and the amendments made thereto by the Senate severally concurred in.

The bill transmitted from the Senate, to give immediate effect to certain parts of the revised statutes, was laid on the table.

On motion of Mr. Wixom, the special order of the day was laid on the table.

Mr. Lane, according to notice given and leave granted, introduced "A bill for the relief of the St. Clair and Romeo railroad company," which was read a first and second times and laid on the table.

The House then resolved itself into committee of the whole, Mr. Sheldon in the chair, upon the bill entitled "A bill for the relief of the River Raisin and Grand river railroad company," and after some time spent thereon, the committee rose, and through their chairman reported the same to the House with sundry amendments, which were concurred in.

Said bill was then laid on the table.

The Chair announced the following communication from the Executive:

To the House of Representatives:

I have this day approved and filed in the office of the Secretary of State, the following acts, viz: "An act to provide for the further construction of certain works of internal improvement, and for other purposes;" "An act making appropriations to defray the expenses of the militia and for repairing the state arms;" "An act to incorporate the Auburn and Lapeer railroad company;" "An act relative to the appointment of collectors of tolls and prescrib-

ing their duties ;" "An act to legalize the erection and maintenance of the dam across the Kalamazoo river, in the village of Marshall;" "An act to organize certain townships, and for other purposes ;" and "joint resolutions with regard to masters in chancery, &c.c."

STEVENS T. MASON.

March 31, 1838.

The Chair announced a communication from the Hon. Jas. B. Hunt, acting commissioner on the central railroad, transmitting answers to two resolutions of the House, in relation to said central road, which having been read, were referred to the committee on claims.

The Chair announced a communication from the Hon. Jas. B. Hunt, acting commissioner on the central railroad, transmitting a copy of the contract made in behalf of the state with David C. McKinstry, Esq., which having been read, was referred to the committee on the judiciary.

[See Document No. 53.]

The House then took up bill number seventy-five, supplementary to an act entitled "An act authorizing the construction of a ship canal around the Falls of Ste. Marie.

On motion of Mr. Levake, said bill was amended by filling the blank in section two, line one, with the words "twenty-five."

Mr. Gidley moved to postpone the consideration of said bill indefinitely, which was decided by yeas and nays, in the negative, as follows :

YEAS.

Mr. Beaufait,
Mr. Gidley,

Mr. J. Howard,
Mr. Moran,

Mr. Odell,

5

NAYS.

Mr. Ball,
Mr. Butler,
Mr. Champlin,
Mr. Cook,
Mr. Crane,
Mr. Doty,
Mr. J. M. Howard,
Mr. Hotchkiss,
Mr. Kent,

Mr. King,
Mr. Lacey,
Mr. Lancaster,
Mr. Levake,
Mr. McClelland,
Mr. Montgomery,
Mr. Pray,
Mr. Payne,
Mr. Risdon,

Mr. H. Smith,
Mr. Spafford,
Mr. Sheldon,
Mr. J. R. Smith,
Mr. Thompson,
Mr. Wakefield,
Mr. Wixom,
Mr. Wadham,
Mr. Speaker,

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On motion of Mr. McClelland, said bill was amended by striking out all after "canal," in line four of section one.

Mr. Cook moved further to amend said bill by adding the following proviso, viz :

" Provided congress does not at its present session, make an appropriation for the purposes contemplated by this bill," which was decided, by yeas and nays, in the affirmative, as follows:

YEAS.

Mr. Ball,	Mr. J. Howard,	Mr. Moran,
Mr. Beaufait,	Mr. Hotchkiss,	Mr. Montgomery,
Mr. Butler,	Mr. Kent,	Mr. Odell,
Mr. Cook,	Mr. King,	Mr. Spafford,
Mr. Doty,	Mr. Lacey,	Mr. Sheldon,
Mr. Gidley,	Mr. Lane,	Mr. J. R. Smith,
Mr. J. M. Howard,	Mr. McClelland,	Mr. Wixom, 21

NAYS.

Mr. Burke,	Mr. Risdon,	Mr. Wakefield,
Mr. Lancaster,	Mr. H. Smith,	Mr. Wadham,
Mr. Levake,	Mr. Thompson,	Mr. Speaker. 9

Mr. Gidley moved further to amend said bill, by adding the following proviso:

" And provided further, that in the opinion of the commissioners, said canal can be completed and rendered of practical use at an expense not exceeding the estimate of the engineer already made," which was negatived.

Mr. Moran moved further to amend by adding the following proviso:

" And be it provided further, That the interest accruing on the sum herein appropriated, shall be levied and paid by the inhabitants of the county of Chippewa," which was negatived.

Said bill as amended was then read a third time and passed.

Mr. Spafford, from the committee of conference on the part of the House, on the disagreement between the two houses on the bill entitled "A bill to incorporate certain towns, and for other purposes," reported that they had agreed to strike out the first section of said bill, which report was accepted.

The House then took up for consideration the bill from the Senate, entitled "A bill to give immediate effect to certain parts of

the revised statutes," when said bill was referred to the committee on the judiciary.

The House then took up for consideration the bill entitled "A bill to provide for the continuation of the Havre branch railroad."

Mr. Gidley moved the indefinite postponement of said bill, which was negatived, by yeas and nays, as follows:

YEAS.

Mr. Beaufait,	Mr. Draper,	Mr. Moran,
Mr. Bowman,	Mr. Gidley,	Mr. Odell,
Mr. Cook,	Mr. J. M. Howard,	Mr. Williams,
Mr. Doty,	Mr. Kent,	

11

NAYS.

Mr. Adams,	Mr. Lane,	Mr. Sheldon,
Mr. Ball,	Mr. Lancaster,	Mr. J. R. Smith,
Mr. Burke,	Mr. McClelland,	Mr. Thompson,
Mr. Champlin,	Mr. Montgomery,	Mr. Wakefield,
Mr. Crane,	Mr. Risdon,	Mr. Wadham,
Mr. Hotchkiss,	Mr. H. Smith,	Mr. Speaker,
Mr. Lacey,		

19

Said bill was then laid on the table.

The House then took up the bill from the Senate, entitled "A bill concerning the extension of Fort street, in the county of Wayne."

On motion of Mr. Cook, said bill was laid on the table.

Mr. J. M. Howard, from the committee on enrolment, reported as correctly enrolled "An act to incorporate the Tecumseh Academy."

On motion, the House adjourned until Monday morning at half past nine o'clock.

Monday, April 2.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Comstock.

The roll having been called, there were absent, Messrs. Beiment, Beaufait, Crane, Ganitt, Wakefield and Williams.

The proceedings of Saturday having been read,

Mr. Thompson presented a claim of Burger and Stevens: referred to the committee on claims.

Mr. Buel, from the committee on the judiciary; to whom was referred the bill from the Senate, entitled "A bill to incorporate the bank of the state of Michigan," reported the same to the House with sundry amendments, which was laid on the table.

Mr. Gidley, from the committee on internal improvement, to which was referred the joint resolution, directing the commissioners of internal improvement to make a certain survey, reported the same to the House without amendment.

Mr. Lancaster, from the committee on enrolment, reported as correctly enrolled an act entitled "An act to organize certain townships, and for other purposes."

The following message was received from the Senate, through their secretary :

Mr. SPEAKER—In pursuance of the rules of the Senate, I herewith transmit a report, preamble and resolutions, relative to the annexation of Texas to the Union, which have been adopted by the Senate, and in which the concurrence of the House of Representatives is respectfully requested. I also herewith return the bill entitled "A bill to organize certain townships, and for other pnprposes," with an amendment proposed by the committee of conference on the disagreement between the two houses on said bill, in which the Senate have concurred, and in the bill entitled "A bill to change the location of the territorial road at the west end of the village of Kalamazoo," without amendment, and the joint resolution relative to a survey and estimate of a railroad route from Centerville to Niles, with an amendment made thereto by the Senate. I also herewith transmit a bill, which has passed the Senate, entitled "A bill to authorize a loan of a certain sum of money to the university of Michigan," in which bill and amendment to the above resolution, the concurrence of the House of Representatives is respectfully requested.

The report, preamble and resolutions, transmitted from the Senate, in relation to the annexation of Texas, were taken up, and the preamble and resolutions read a first and second time, and according to rule, laid on the table for one day.

The rule having been suspended, said preamble and resolutions were read a third time and passed.

The joint resolution, relative to a survey and estimate of a railroad from Centerville to Niles, together with an amendment made thereto by the Senate, was taken up, and said amendment concurred in.

The bill from the Senate, entitled "A bill to authorize a loan of a certain sum of money to the university of Michigan," was taken up, read a first and second times and laid on the table.

Mr. Hotchkiss gave notice that he should, at some future day, ask leave to bring in a bill to reduce the capital stock of the bank of Adrian.

Mr. Buckbee gave notice that he should, at some future day, ask leave to bring in a bill authorizing a loan of a sum of money not exceeding one hundred and fifty thousand dollars for the benefit of the Ypsilanti railroad company.

The bill from the Senate, entitled "A bill to amend an act entitled 'An act to incorporate the village of Niles,' and the several acts amendatory thereof," was then taken up, read a third time and passed.

Mr. Cook, from the committee on claims, reported the following resolution, which was adopted:

Resolved. That the board of internal improvement be requested to settle with B. C. Cox, without any unnecessary delay.

Mr. Cook, from the committee on claims, to whom was referred a bill from the Senate, entitled "A bill to provide for the adjustment of claims on the division of townships," reported the same to the House without amendment.

Said bill was then laid on the table.

Mr. Buckbee offered the following joint resolution, which was read a first and second times and referred to the committee on internal improvement:

Resolved by the Senate and House of Representatives, That the commissioners of internal improvement be and they are hereby directed to reduce the rate of tolls on the railroad now in operation between the city of Detroit and the village of Ypsilanti, one third below what it is now fixed at by said board, and to post up

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in some public place at each of the depots on said road a printed list of said rates of tolls.

Mr. Lancaster offered the following joint resolution, which was adopted :

Resolved, (the Senate concurring herein.) that the two houses will meet in the Hall of Representatives, on Tuesday the third of April inst., at twelve o'clock, for the purpose of receiving and acting upon the nominations of the Governor for a board of internal improvement.

The House then took up for a third reading, the bill entitled "A bill for the relief the River Raisin and Grand river railroad company," which was lost, by yeas and nays, as follows :

YEAS.

Mr. Buel,	Mr. Hotchkiss,	Mr. Payne,
Mr. Buckbee,	Mr. McClelland,	Mr. H. Smith,
Mr. Champlin,	Mr. Montgomery,	Mr. Spafford,
Mr. Gidley,		

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NAYS.

Mr. Ball,	Mr. Kent,	Mr. Risdon,
Mr. Bowman,	Mr. King,	Mr. Sheldon,
Mr. Cook,	Mr. Lacey,	Mr. Thompson,
Mr. Dorsey,	Mr. Lancaster,	Mr. Vickery,
Mr. Doty,	Mr. Moran,	Mr. Wixom,
Mr. Draper,	Mr. Odell,	Mr. Wadham,
Mr. J. M. Howard,	Mr. Pray,	Mr. Speaker,
Mr. J. Howard,		

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Leave of absence was granted to Messrs. Beaufait, Williams and Gant, for one day, and to Mr. Crane during his illness.

The House then resolved itself into a committee of the whole, Mr. Gidley in the chair, upon the bill from the Senate, entitled "A bill to incorporate the Bank of the state of Michigan," together with the amendments made thereto by the committee on the judiciary, and after some time spent thereon, the committee rose, and through their chairman, reported the same to the House with sundry amendments, which were concurred in.

Said bill was then laid on the table.

The Chair announced the following message from the Executive :

To the House of Representatives:

I return without my approval, a bill entitled "A bill to encourage the manufacture of glass within the state of Michigan." This bill, although purporting to be an act for the encouragement of domestic manufactures, yet when stripped of its disguise, is nothing more nor less than an act for the relief of Ebenezer Hall and Isaac J. Grovier, copartners in trade, engaged in the manufacture of glass. By what principle of justice can the relief asked by this bill be granted? Is this department of trade entitled to greater protection than another? The manufacture of glass has long ceased in the United States to be a mystery; it is perfectly understood and has become plain and simple in its operations. Private enterprize in this, as in every branch of industry, should be left to its own exertions. We are no longer dependant on foreign manufacturers for the glass demanded by our country. American industry has enabled us to rely on our own manufactures, and if the investment of capital for such purpose in this state is found to be profitable, it will flow here without legislative aid. If otherwise, the efforts of the legislature to sustain the manufacture of glass, when our own product can be undersold by importations from adjoining states, are futile.

If you loan the credit of the state to the manufacturer of glass, by what right or rule of justice can you withhold it from the manufacturer of flour, the manufacturer of shoes, the manufacturers of paper, or all other manufacturers? All are equally entitled to the benefits and protection resulting from an equal distribution of public benefits. You cannot say otherwise when the principles of the bill now before you, are at once established as the settled policy of the state. But I warn the legislature against a wanton use of the credit of the state. If you have a surplus in your state treasury, (a fact I have yet to learn,) relieve, by direct appropriation, the wants of individuals; but reserve the credit and faith of your state for high and great purposes of general public good; it should not be prostituted, whenever asked, for every purpose, however unreasonable or however unjust.

In the present application for relief before me, I would feel every desire to yield to the urgent demands of the applicants, could I do

so consistently with my sense of public duty ; but as this cannot be done without the sacrifice of principle, and without establishing a precedent fraught with danger to the interest of the people, the bill is returned without my signature to the House in which it originated.

STEVENS T. MASON.

April 2, 1838.

On motion, the bill above returned was laid on the table.

The Chair announced the following message from the Executive, through C. C. Jackson, Esq. his private secretary :

To the House of Representatives :

I have this day approved and filed in the office of the Secretary of State, the following acts, viz : "An act to organize certain townships, and for other purposes," "An act to amend an act entitled 'An act to organize the township of Hickory, and for other purposes,'" "An act to incorporate the Tecumseh academy," and "joint resolutions with regard to the Superintendent of Public Instruction."

STEVENS T. MASON.

April 2, 1838.

Mr. Cook presented a petition from the directors of the Bank of Michigan, asking an investigation into the same.

A quorum not appearing present, the Speaker adjourned the House until two o'clock P. M.

AFTERNOON SESSION.

The House met pursuant to adjournment.

The roll having been called,

Mr. Buckbee moved the Speaker pro tempore appoint a sergeant-at-arms pro tempore, and a doorkeeper pro tempore, which was decided in the affirmative ; whereupon the Speaker pro tem. appointed Orlando Coombs as sergeant-at-arms pro tempore, and George Coombs as doorkeeper pro tempore.

Leave of absence was granted to Mr. Poucher for one day, and to Mr. Gantt for two days.

Mr. J. M. Howard offered the following resolution :

Resolved. That a committee of five be appointed to investigate

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the affairs of the Bank of Michigan, in pursuance of the petition of the president, cashier and directors of the institution, this day presented to the House, and that they report the result to this House as soon as practicable.

Mr. Buckbee moved to amend by inserting the following: "and to publish their report in the state paper, as soon as convenient," in lieu of the words "and that they report the result to this House as soon as practicable."

Mr. Cook moved to amend the amendment by inserting "that said committee report to this House within three days," which was decided by yeas and nays, in the negative, as follows:

YEAS.

Mr. Butler,	Mr. J. Howard,	Mr. Spafford,
Mr. Cook,	Mr. King,	Mr. Sheldon,
Mr. Cooley,	Mr. Lacey,	Mr. J. R. Smith,
Mr. Draper,	Mr. Lane,	Mr. Thompson,
Mr. Gidley,	Mr. Odell,	Mr. Vickery,
Mr. J. M. Howard,	Mr. Payne,	

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NAYS.

Mr. Adams,	Mr. Doty,	Mr. Montgomery,
Mr. Ball,	Mr. Hotchkiss,	Mr. Pray,
Mr. Burke,	Mr. Kent,	Mr. Risdon,
Mr. Buel,	Mr. Lancaster,	Mr. H. Smith,
Mr. Bowman,	Mr. McClelland,	Mr. Wixom,
Mr. Buckbee,	Mr. Moran,	Mr. Wadham,
Mr. Dorsey,		

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The question recurring upon the amendment of Mr. Buckbee, it was decided by yeas and nays, in the negative, as follows:

YEAS.

Mr. Ball,	Mr. Hotchkiss,	Mr. Pray,
Mr. Buel,	Mr. Kent,	Mr. Risdon,
Mr. Bowman,	Mr. Lancaster,	Mr. H. Smith,
Mr. Buckbee,	Mr. McClelland,	Mr. Wixom,
Mr. Dorsey,	Mr. Montgomery,	Mr. Wadham,
Mr. Doty,		

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NAYS.

Mr. Adams,	Mr. J. M. Howard,	Mr. Payne,
Mr. Burke,	Mr. J. Howard,	Mr. Spafford,
Mr. Butler,	Mr. King,	Mr. Sheldon,
Mr. Cook,	Mr. Lacey,	Mr. J. R. Smith,

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Mr. Cooley,	Mr. Lane,	Mr. Thompson,
Mr. Draper,	Mr. Moran,	Mr. Vickery,
Mr. Gidley,	Mr. Odell,	20

Mr. Risdon moved to amend said resolution, by adding the following, "and that said committee be authorized to send for persons and papers and examine witnesses under oath or affirmation."

Mr. Henry Smith offered a substitute, being in the words following :

Resolved, That the Bank Commissioners of this state, be requested to investigate the affairs of the Bank of Michigan, that institution having requested an investigation, and report the result of the examination to the next legislature—publishing in the mean time a statement of its affairs, in the state paper, as soon as ascertained.

The question on the substitute, was decided by yeas and nays, in the negative, as follows :

YEAS.

Mr. Adams,	Mr. Dorsey,	Mr. Moran,
Mr. Ball,	Mr. Doty,	Mr. Montgomery,
Mr. Burke,	Mr. Kent,	Mr. Pray,
Mr. Buel,	Mr. King,	Mr. H. Smith,
Mr. Bowman,	Mr. Lancaster,	Mr. Wixom,
Mr. Buckbee,	Mr. McClelland,	Mr. Wadhams, 18

NAYS.

Mr. Butler,	Mr. J. Howard,	Mr. Risdon,
Mr. Cook,	Mr. Hotchkiss,	Mr. Spafford,
Mr. Cooley,	Mr. Lacey,	Mr. Sheldon,
Mr. Draper,	Mr. Lane,	Mr. J. R. Smith,
Mr. Gidley,	Mr. Odell,	Mr. Thompson,
Mr. J. M. Howard,	Mr. Payne,	Mr. Vickery, 18

The question recurring upon the amendment of Mr. Risdon, it was decided in the affirmative.

Mr. Buckbee moved a call of the House, which motion did not prevail.

Mr. Buel offered a substitute for the resolution, in the words following :

Resolved, That a committee of five be appointed by this House to investigate the condition of the Bank of Michigan, with power

to send for persons and papers, and report to this House, if in session, otherwise to publish the result in the state paper at the completion of said investigation.

Mr. Ball moved to amend the substitute by adding the following proviso :

" Provided, however, that all expenses incurred by reason of this investigation, shall be defrayed by said Bank of Michigan.

Mr. Cook called for the previous question, when, the question being " shall the main question be now put," it was negatived, by yeas and nays, as follows :

YEAS.

Mr. Butler,	Mr. Gidley,	Mr. Payne,
Mr. Bowman,	Mr. J. M. Howard,	Mr. Spafford,
Mr. Champlin,	Mr. J. Howard,	Mr. Sheldon,
Mr. Cook,	Mr. Hotchkiss,	Mr. J. R. Smith,
Mr. Cooley,	Mr. Lane,	Mr. Thompson,
Mr. Draper,	Mr. Odell,	Mr. Vickery, 18

NAYS.

Mr. Adams,	Mr. Kent,	Mr. Montgomery,
Mr. Ball,	Mr. King,	Mr. Pray,
Mr. Burke,	Mr. Lacey,	Mr. Risdon,
Mr. Buel,	Mr. Lancaster,	Mr. H. Smith.
Mr. Buckbee,	Mr. McClelland,	Mr. Wixom,
Mr. Dorsey,	Mr. Moran,	Mr. Wadham,
Mr. Doty,		19

The question recurring on the amendment of Mr. Ball to the substitute, it was decided, by yeas and nays, in the negative, as follows :

YEAS.

Mr. Ball,	Mr. Kent,	Mr. Montgomery,
Mr. Buel,	Mr. King,	Mr. H. Smith,
Mr. Buckbee,	Mr. Lancaster,	Mr. Wixom,
Mr. Doty,	Mr. Moran,	11

NAYS.

Mr. Adams,	Mr. Gidley,	Mr. Payne,
Mr. Burke,	Mr. J. M. Howard,	Mr. Risdon,
Mr. Butler,	Mr. J. Howard,	Mr. Spafford,
Mr. Bowman,	Mr. Hotchkiss,	Mr. Sheldon,
Mr. Champlin,	Mr. Lacey,	Mr. J. R. Smith,
Mr. Cook,	Mr. Lane,	Mr. Thompson,

Mr. Cooley,	Mr. McClelland,	Mr. Vickery,
Mr. Dorsey,	Mr. Odell,	Mr. Wadham,
Mr. Draper,		25

Mr. Ball moved to lay the whole subject on the table, which was decided, by yeas and nays, in the negative, as follows :

YEAS.

Mr. Adams,	Mr. Doty,	Mr. Montgomery,
Mr. Ball,	Mr. Kent,	Mr. Pray,
Mr. Burke,	Mr. King,	Mr. Risdon,
Mr. Buel,	Mr. Lancaster,	Mr. H. Smith,
Mr. Buckbee,	Mr. McClelland,	Mr. Wixom,
Mr. Dorsey,	Mr. Moran,	Mr. Wadham,
		18

NAYS.

Mr. Butler,	Mr. J. M. Howard,	Mr. Payne,
Mr. Bowman,	Mr. J. Howard,	Mr. Spafford,
Mr. Champlin,	Mr. Hotchkiss,	Mr. Sheldon,
Mr. Cook,	Mr. Lacey,	Mr. J. R. Smith,
Mr. Cooley,	Mr. Lane,	Mr. Thompson,
Mr. Draper,	Mr. Odell,	Mr. Vickery,
Mr. Gidley,		19

The question recurring on the substitute of Mr. Buel, Mr. J. M. Howard moved to amend by adding the following after the word "Michigan :" " in pursuance of the petition of the president, cashier and directors of that institution, on this day presented to the House," which was decided, by yeas and nays, in the affirmative, as follows :

YEAS.

Mr. Butler,	Mr. J. Howard,	Mr. Payne,
Mr. Bowman,	Mr. Hotchkiss,	Mr. Risdon,
Mr. Champlin,	Mr. King,	Mr. Spafford,
Mr. Cook,	Mr. Lacey,	Mr. Sheldon,
Mr. Cooley,	Mr. Lane,	Mr. J. R. Smith,
Mr. Draper,	Mr. Moran,	Mr. Thompson,
Mr. Gidley,	Mr. Odell,	Mr. Vickery,
Mr. J. M. Howard,		22

NAYS.

Mr. Adams,	Mr. Dorsey,	Mr. Montgomery,
Mr. Ball,	Mr. Doty,	Mr. Pray,
Mr. Burke,	Mr. Kent,	Mr. H. Smith,
Mr. Buel,	Mr. Lancaster,	Mr. Wixom,
Mr. Buckbee,	Mr. McClelland,	Mr. Wadham,
		15

The question recurring upon the substitute as amended, it was adopted, by yeas and nays, in the affirmative, as follows :

YEAS.

Mr. Buel,	Mr. Gidley,	Mr. Payne,
Mr. Butler,	Mr. J. M. Howard,	Mr. Risdon,
Mr. Bowman,	Mr. J. Howard,	Mr. Spafford,
Mr. Champlin,	Mr. Hotchkiss,	Mr. Sheldon,
Mr. Cook,	Mr. Lacey,	Mr. J. R. Smith,
Mr. Cooley,	Mr. Lane,	Mr. Thompson,
Mr. Draper,	Mr. Odell,	Mr. Vickery, 21

NAYS.

Mr. Adams,	Mr. Kent,	Mr. Montgomery,
Mr. Ball,	Mr. King,	Mr. Pray,
Mr. Burke,	Mr. Lancaster,	Mr. H. Smith,
Mr. Buckbee,	Mr. McClelland,	Mr. Wixom,
Mr. Dorsey,	Mr. Moran,	Mr. Wadham, 16
Mr. Doty,		

Whereupon the Chair announced Messrs. Cook, Buel, Buckbee, Butler and Henry Smith, as said committee.

Mr. Hotchkiss offered the following resolution, which was read the first and second times, and according to rule, was laid on the table for one day.

Resolved, That this House (the Senate concurring herein,) do adjourn on Wednesday, the fourth instant, without day.

The rule having been suspended, said resolution was taken up for consideration.

Mr. Ball moved to lay said resolution on the table, which was decided, by yeas and nays, in the negative, as follows :

YEAS.

Mr. Adams,	Mr. J. Howard,	Mr. Payne,
Mr. Ball,	Mr. Kent,	Mr. Risdon,
Mr. Buckbee,	Mr. King,	Mr. H. Smith,
Mr. Doty,	Mr. Moran,	Mr. Spafford, 12

NAYS.

Mr. Burke,	Mr. Hotchkiss,	Mr. Sheldon,
Mr. Buel,	Mr. Lacey,	Mr. J. R. Smith,
Mr. Bowman,	Mr. Lane,	Mr. Thompson,
Mr. Champlin,	Mr. Lancaster,	Mr. Vickery,
Mr. Cooley,	Mr. McClelland,	Mr. Wixom,
Mr. Draper,	Mr. Odell,	Mr. Wadham, 19
Mr. Gidley,		

Said resolution was then read a third time and passed.

The House then, on motion of Mr. Buel, took up the special order of the day, the consideration of the bill entitled "A bill to incorporate the Bank of the state of Michigan," and after some time spent in the consideration of said bill, it was, on motion, laid on the table.

Mr. Lancaster, from the committee on enrolment, reported as correctly enrolled, "An act for the apportionment of the members of House of Representatives, and for the arrangement of the Senate districts; also, "An act to change the location of the territorial road at the west end of the village of Kalamazoo," and "A joint resolution relative to the survey of a railroad route."

On motion, the House adjourned.

Tuesday, April 3.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Comstock.

The proceedings of yesterday having been read,

Mr. Thompson presented a claim of O. Butler; referred to the committee on claims.

Mr. Cook presented sundry claims, which were referred as above.

Leave of absence was granted to Mr. Bowman, for the remainder of the session.

Mr Buckbee, in pursuance of previous notice, asked and obtained leave, and thereupon introduced a bill entitled "A bill authorizing a loan of a sum not exceeding one hundred thousand dollars, for the benefit of the Ypsilanti and Tecumseh railroad company," which was read a first and second timess and referred to the committee on banks and incorporations.

Mr. Hotchkiss, in pursuance of previous notice, asked and obtained leave, and thereupon introduced a bill entitled "A bill for the relief of the bank of Adrian," which was read a first and second times and referred to the committee on banks and incorporations.

Mr. Vickery offered the following joint resolution, which was

read a first and second times, and according to rule, laid on the table for one day :

Resolved by the Senate and House of Representatives of the State of Michigan, That the board of commissioners of internal improvements be and they are hereby instructed and required to suspend all operations on that part of the northern railroad, lying between the mouth of Black river and the village of Flint, until the next regular session of the legislature, and to expend none of the people's money thereon previous to that period.

On motion of Mr. Ball,

Resolved, That the Governor be and he is hereby requested to lay before this House, with all the despatch practicable, all information relating to the amount of state bonds which has been by him sold, to whom and at what premium sold, the kind or kinds of money that have been or are to be received by the state for the same ; and if any of said bonds have been taken out of the state, what arrangement has been made for the payment of the amount so taken into the treasury of the state.

On motion of Mr. McClelland,

Resolved, That the House will proceed at twelve o'clock M. this day, to receive and act upon the nominations of the Governor for commissioners on internal improvement.

On motion of Mr. Moran, the vote taken on the adoption of the foregoing resolution, was reconsidered.

Mr. McClelland, then withdrew his resolution, whereupon Mr. Ball renewed the same, and after some time spent thereon, Mr. Ball withdrew the same.

The Chair announced a message from the Senate, in the words following :

Mr. SPEAKER—In pursuance of the rules of the Senate, I here-with transmit sundry bills, which have passed the Senate, entitled as follows; viz : "A bill providing for the recording of the laws, and for other purposes," "A bill to extend the time for the construction and completion of the Detroit and Maumee railroad," "A bill to incorporate the Detroit house carpenters' and joiners' mutual benefit society," "A bill to authorize the administrators on the estate of Caius C. Robinson, late of the county of Lenawee, and state of Michigan, deceased, to sell and convey certain real

estate," and "A bill for the relief of John C. Fryatt." I also herewith return, with sundry amendments made thereto by the Senate, the bill entitled "A bill to incorporate the Mottville and White Pigeon railroad company," in which bills and amendments, the concurrence of the House of Representatives is respectfully requested. I also herewith return without amendment, the bill entitled "A bill to regulate the terms of the circuit court in the county of Lenawee. I also herewith transmit resolutions, which have passed the Senate, in relation to the appointment of a board of commissioners of internal improvements.

The bills from the Senate, entitled "A bill for the relief of John T. Fryatt," "A bill providing for the recording of the laws, and for other purposes," and "A bill to authorize the administrators on the estate of Caius C. Robinson, late of the county of Lenawee, and state of Michigan, deceased, to sell and convey certain real estate," were taken up, and severally read a first and second times and referred to the committee on the judiciary.

The bill from the Senate, entitled "A bill to extend the time for the construction and completion of the Detroit and Maumee railroad," was taken up, read a first and second times and referred to the committee on internal improvement.

The bill from the Senate, entitled "A bill to incorporate the Detroit house carpenters' and joiners' mutual benefit society," was taken up, read a first and second times and referred to the committee on banks and incorporations.

The joint resolution from the Senate, in relation to the appointment of a board of commissioners of internal improvement, was taken up, read a first and second times and laid on the table.

The bill returned from the Senate, entitled "A bill to incorporate the Mottville and White Pigeon railroad company," together with the amendments made thereto by the Senate, was taken up for consideration, and the amendments severally concurred in.

Said bill as amended, was then read a third time and passed.

Mr. Buckbee offered the following resolution :

Resolved, That this House will proceed at twelve o'clock, M. this day, to receive and act upon the nominations of the Governor for commissioners on internal improvements.

Said resolution was negatived, by yeas and nays, as follows :
YEAS.

Mr. Adams,
Mr. Ball,
Mr. Benten,
Mr. Buckbee,
Mr. Doty,
Mr. Hotchkiss,

Mr. Kent,
Mr. Lancaster,
Mr. Levake,
Mr. McClelland,
Mr. Pray,
Mr. Payne,

Mr. H. Smith,
Mr. Thompson,
Mr. Wixom,
Mr. Wadham,
Mr. Speaker,

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NAYS.

Mr. Burke,
Mr. Buel,
Mr. Butler,
Mr. Champlin,
Mr. Cook,
Mr. Cooley,
Mr. Dorsey,

Mr. Draper,
Mr. Gidley,
Mr. J. M. Howard,
Mr. J. Howard,
Mr. King,
Mr. Lacey,
Mr. Moran,

Mr. Montgomery,
Mr. Odell,
Mr. Risdon,
Mr. Spafford,
Mr. J. R. Smith,
Mr. Vickery,
Mr. Williams,

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The Chair announced a message from the Senate, in the words following :

Mr. SPEAKER—In pursuance of the rules of the Senate, I herewith transmit a bill which has passed the Senate, entitled “A bill making appropriations in part for the year 1838, for the pay of officers and members of the legislature.” I also herewith return, with amendments made thereto by the Senate, the bills entitled “A bill to authorize the laying out and establishing certain state roads,” and “A bill supplementary to an act authorizing the construction of a ship canal around the Falls of Ste. Marie,” and to the resolution entitled “A resolution directing the place for holding the circuit courts in the county of Ottawa,” in which bill and amendments the concurrence of the House of Representatives is respectfully requested. I also herewith return without amendment, the bill entitled “A bill to incorporate the Medina and Canandaigua railroad company.”

The bill from the Senate, entitled “A bill making appropriations in part for the year one thousand eight hundred and thirty-eight, for the pay of officers and members of the legislature,” was taken up, read a first and second times, and referred to the committee of ways and means.

The bill returned from the Senate with amendments, entitled “A bill to authorize the laying out and establishing certain state roads,” was taken up, and on motion, laid on the table.

The bill returned from the Senate with an amendment, entitled "A bill supplementary to 'An act authorizing the construction of a ship canal around the Falls of Ste. Marie,'" was taken up for consideration, and the amendment concurred in.

Said bill as amended, then passed.

The resolution returned from the Senate, with an amendment, entitled "A resolution directing the place for holding the circuit courts in the county of Ottawa," was taken up for consideration, and the amendments concurred in.

The rule having been suspended, the substitute for said resolution, (being the amendment of the Senate,) then passed.

The House then took up the bill entitled "A bill to provide for the construction of the Havre branch railroad."

Mr. Cook moved to amend said bill by adding the words "and that the same be deducted from the appropriation made upon the northern railroad," which was decided, by yeas and nays, in the affirmative, as follows:

YEAS.

Mr. Bement,	Mr. Draper,	Mr. Odell,
Mr. Buel,	Mr. Gidley,	Mr. Pray,
Mr. Buckbee,	Mr. J. M. Howard,	Mr. Sheldon,
Mr. Champlin,	Mr. J. Howard,	Mr. J. R. Smith,
Mr. Cook,	Mr. King,	Mr. Vickery,
Mr. Cooley,	Mr. Lane,	Mr. Wixom,
Mr. Dorsey,	Mr. Moran,	Mr. Speaker,
Mr. Doty,		

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NAYS.

Mr. Burke,	Mr. McClelland,	Mr. Risdon,
Mr. Lacey,	Mr. Montgomery,	Mr. H. Smith,
Mr. Lancaster,	Mr. Payne,	Mr. Spafford,
Mr. Levake,		

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The question being upon the final passage of said bill, it was decided, by yeas and nays, in the negative, as follows:

YEAS.

Mr. Ball,	Mr. Dorsey,	Mr. Pray,
Mr. Bement,	Mr. Doty,	Mr. H. Smith,
Mr. Buel,	Mr. Gidley,	Mr. Sheldon,
Mr. Buckbee,	Mr. Levake,	Mr. J. R. Smith,
Mr. Cooley,	Mr. Montgomery,	

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NAYS.

Mr. Adams,	Mr. Kent,	Mr. Risdon,
Mr. Burke,	Mr. King,	Mr. Spafford,
Mr. Butler,	Mr. Lacey,	Mr. Thompson,
Mr. Champlin,	Mr. Lane,	Mr. Vickery,
Mr. Cook,	Mr. Lancaster,	Mr. Wixom,
Mr. J. M. Howard,	Mr. McClelland,	Mr. Williams,
Mr. J. Howard,	Mr. Odell,	Mr. Wadham,
Mr. Hotchkiss,	Mr. Payne,	Mr. Speaker, 24

The House then resolved itself into a committee of the whole, Mr. Butler in the chair, upon the bill entitled "A bill supplementary to an act to provide for the relief of the Palmyra and Jacksonburgh railroad company," and after some time spent therein, the committee rose, and through their chairman, reported the same back to the House with an amendment, viz : "to strike out all after the enacting clause, which was concurred in.

Mr. J. M. Howard, from the committee on enrolment, reported as correctly enrolled, the following acts, viz : "An act to incorporate the village of Kalamazoo," and "An act to incorporate the Gibraltar and Flat Rock company."

The House then resolved itself into a committee of the whole, Mr. Gidley in the chair, upon bill number fifty-two, "of imprisonment of debtors," and after some time spent therein, the committee rose, and through their chairman, reported the same to the House with sundry amendments, which were concurred in.

The rule having been suspended, said bill was read a third time, and passed.

Mr. Bement, from the committee on banks and incorporations, to whom was referred the bills entitled " A bill for the relief of the bank of Adrian," "A bill authorizing a loan of a sum not exceeding one hundred thousand dollars for the benefit of the Ypsilanti and Tecumseh railroad company," a bill supplementary to an act entitled "An act to amend an act entitled "An act to organize and regulate banking associations,' and for other purposes," an "An act to incorporate the Detroit house carpenters' and joiners' mutual benefit society," reported the same to the House without amendment.

Said bills were then laid on the table.

On motion of Mr. McClelland, the doorkeeper was excused on account of his being absent from his post yesterday afternoon.

Mr. J. M. Howard, from the committee on enrolment, reported as correctly enrolled, the bill entitled "A bill to regulate the terms of the circuit court in the county of Lenawee."

The House then resolved itself into a committee of the whole, Mr. Moran in the chair, upon bill number eighty-three, being chapter third of title eight of part third of the revision of the laws," and after some time spent thereon, the committee rose, and through their chairman reported the same to the House, without amendment.

The rule being suspended, said chapter was read the third time and passed.

Mr. Henry Smith offered the following resolution, which was laid on the table.

Resolved, This House will hold daily one additional session, commencing at half past seven, P. M.

On motion, the House adjourned.

AFTERNOON SESSION.

The House met pursuant to adjournment.

The roll having been called,

Leave of absence was granted to Mr. Beaufait for one day.

Mr. Henry Smith offered the following resolution :

Resolved, That this House hold itself in readiness to meet the honorable Senate in joint convention, on the nomination of commissioners of internal improvement, but cannot consider that a proper construction of law, would allow either house alone to receive such nomination.

Mr. McClelland moved to lay said resolution on the table, which motion did not prevail.

The question on the adoption of said resolution, was decided, by yeas and nays, as follows :

YEAS.

Mr. Adams,
Mr. Burke,
Mr. Bement,

Mr. Gidley,
Mr. J. M. Howard,
Mr. J. Howard,

Mr. Pray,
Mr. Payne,
Mr. Risdon,

Mr. Buel,	Mr. King,	Mr. H. Smith,
Mr. Butler,	Mr. Lacey,	Mr. Spafford,
Mr. Buckbee,	Mr. Lane,	Mr. Sheldon,
Mr. Champlin,	Mr. McClelland,	Mr. J. R. Smith,
Mr. Cook,	Mr. Moran,	Mr. Vickery,
Mr. Cooley,	Mr. Montgomery,	Mr. Wixom,
Mr. Doty,	Mr. Odell,	

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NAYS.

Mr. Ball,	Mr. Hotchkiss,	Mr. Thompson,
Mr. Dorsey,	Mr. Kent,	Mr. Wadham,
Mr. Draper,	Mr. Lancaster,	Mr. Speaker,
Mr. Gant,	Mr. Levake,	

11

The House then took up as in committee of the whole, the consideration of chapters four, five, six, and seven, of title eight of part third of the revision of the laws, and after some time spent in the consideration of the same, the rule was suspended and said chapters were read the third time and passed.

The House then took up for consideration, as in committee of the whole, bill forty-nine, "of fees," and after some time spent in the consideration of said bill, the rule was suspended, and said bill was read the third time and passed.

On motion of Mr. J. M. Howard, the bill entitled "A bill to repeal the acts consolidated in the revised statutes," was referred to the committee on expiring laws.

Mr. Buel presented sundry claims of James M. Burger, which were referred to the committee on claims.

The Chair announced a message from the Senate, in the words following :

MR. SPEAKER—In pursuance of the rules of the Senate, I here-with transmit a resolution which has passed the Senate, entitled "A resolution proposing certain amendments to the constitution of the state," in which the concurrence of the House of Representatives is respectfully requested.

The resolution, as above, was taken up, read a first and second times, and referred to the committee on the judiciary.

The Chair announced the following message from the Senate :

Mr. SPEAKER—In pursuance of the rules of the Senate, I here-with return the bill entitled “A bill to incorporate the village of Dearbornville,” and the resolution entitled “A resolution relative to a survey for a canal to connect the Grand and Huron rivers,” with amendments made thereto by the Senate, in which the concurrence of the House of Representatives is respectfully requested.

The bill returned from the Senate, entitled as above, was taken up, and the amendments made thereto by the Senate were severally concurred in. Said bill as amended then passed.

The House then took up the resolution returned from the Senate, together with the amendment made thereto.

Whereupon Mr. Risdon moved to amend the amendment of the Senate by inserting after the words “River Raisin,” the words “and Lake Erie.”

Mr. Gantt moved to lay the whole subject on the table, which was decided by yeas and nays, in the negative, as follows:

YEAS.

Mr. Adams,	Mr. King,	Mr. Odell,
Mr. Buel,	Mr. Lacey,	Mr. Pray,
Mr. Draper,	Mr. Lane,	Mr. Wakefield,
Mr. Gantt,	Mr. Lancaster,	Mr. Williams,
Mr. Kent,	Mr. Moran,	Mr. Speaker, 15

NAYS.

Mr. Bement,	Mr. Hotchkiss,	Mr. Risdon,
Mr. Buckbee,	Mr. Levake,	Mr. H. Smith,
Mr. Champlin,	Mr. McClelland,	Mr. Spafford,
Mr. Doty,	Mr. Montgomery,	Mr. J. R. Smith,
Mr. J. M. Howard,	Mr. Payne,	Mr. Wadhams,
Mr. J. Howard,		16

Mr. Gantt moved to amend by adding the following proviso : “ Provided, That the amount appropriated in this bill be sufficient to complete the surveys of all the works in this resolution named,” which was decided in the affirmative.

On motion of Mr. Wakefield, said resolution was further amended by adding the following further proviso : “ Provided further, That in the opinion of said board of internal improvement, the interest of the state requires said survey.”

Mr. Odell moved to postpone the consideration of the resolution

indefinitely, which was decided by yeas and nays, in the affirmative, as follows:

YEAS.		
Mr. Adams,	Mr. Hotchkiss,	Mr. Odell,
Mr. Buel,	Mr. Kent,	Mr. Pray,
Mr. Buckbee,	Mr. Lacey,	Mr. Wakefield,
Mr. Draper,	Mr. Lane,	Mr. Williams,
Mr. Gantt,	Mr. Lancaster,	Mr. Wadham,
Mr. J. M. Howard,	Mr. Moran,	Mr. Speaker, 18
NAYS.		
Mr. Ball,	Mr. Doty,	Mr. Poucher,
Mr. Bement,	Mr. Gidley,	Mr. Risdon,
Mr. Butler,	Mr. J. Howard,	Mr. H. Smith,
Mr. Champlin,	Mr. McClelland,	Mr. Spafford,
Mr. Dorsey,	Mr. Montgomery,	Mr. J. R. Smith, 15

Mr. J. Howard gave notice that he should at some future day ask leave to bring in a bill to repeal so much of the act passed the 20th March, 1837, as appropriates twenty thousand dollars for the purchasing and construction of the Havre branch railroad.

On motion of Mr. McClelland, the following was adopted, to stand as the eighth rule of the House, viz :

"No member shall speak more than once to the same question without leave of the House until the close of the present session of the legislature."

The House then resumed as in committee of the whole, the consideration of the bill to incorporate the Bank of the state of Michigan, together with sundry amendments made thereto by the committee on the judiciary.

Mr. McClelland moved to amend said bill, by striking out in section twelve lines eleven and twelve, the words "it shall be lawful for the directors of said corporation to," and insert the words, "the directors of the said corporation shall establish a branch with a capital of not less than two hundred thousand dollars, in the city of Monroe, within one year from the commencement of the operations of said bank, and shall," in lieu thereof; which was decided by yeas and nays, as follows:

YEAS.		
Mr. Adams,	Mr. Doty,	Mr. Odell,
Mr. Ball,	Mr. J. M. Howard,	Mr. Pray,
Mr. Burke,	Mr. Hotchkiss,	Mr. Poucher,
Mr. Buel,	Mr. Kent,	Mr. Risdon,

Mr. Butler,	Mr. King,	Mr. H. Smith,
Mr. Buckbee,	Mr. Lacey,	Mr. Thompson,
Mr. Cook,	Mr. McClelland,	Mr. Wakefield,
Mr. Dorsey,	Mr. Montgomery,	Mr. Wixom,

24

NAYS.

Mr. Bement,	Mr. J. Howard,	Mr. Sheldon,
Mr. Draper,	Mr. Lane,	Mr. J. R. Smith,
Mr. Gidley,	Mr. Payne,	Mr. Williams,
Mr. Gantt,	Mr. Spafford,	Mr. Speaker,

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Mr. Buckbee gave notice, that he should at some future day ask leave to bring in a bill providing for the appointment of commissioners of deeds.

On motion of Mr. McClelland, the House adjourned until half past seven this evening.

EVENING SESSION.

The House met pursuant to adjournment.

The roll having been called,

Mr. Risdon offered the following resolution, which was adopted:

Resolved, That the committee on unfinished business, select and arrange, in order of precedence, the bills remaining to be acted upon, from the Senate or on file in this House, and report the same to-morrow, in their relative order.

Mr. Gantt, from the committee on printing, to which was referred a bill from the Senate entitled "A bill to provide for the sale and distribution of the laws," reported the same to the House with sundry amendments, which was laid on the table.

The House then took up, as in committee of the whole, the special order, viz: the bill to incorporate the Bank of the state of Michigan.

Mr. Gantt moved to amend by striking out section thirty-one, which was decided, by yeas and nays, in the negative, as follows:

YEAS.

Mr. Decker,	Mr. McClelland,	Mr. Wakefield,
Mr. Gantt,	Mr. Vickery,	Mr. Wixom,

6

NAYS.

Mr. Adams,	Mr. J. Howard,	Mr. Payne,
Mr. Ball,	Mr. Hotchkiss,	Mr. Risdon,
Mr. Bement,	Mr. Kent,	Mr. H. Smith,

Mr. Buel,	Mr. Lacey,	Mr. Sheldon,
Mr. Buckbee,	Mr. Lane,	Mr. J. R. Smith,
Mr. Cooley,	Mr. Montgomery,	Mr. Thompson,
Mr. Dorsey,	Mr. Odell,	Mr. Williams,
Mr. Doty,	Mr. Pray,	Mr. Wadham,
Mr. Gidley,		

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The bill was then laid on the table.

Leave of absence was granted to Mr. Lancaster for the remainder of the session.

On motion, the House adjourned.

Wednesday, April 4.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Comstock.

The roll having been called, and

The proceedings of yesterday having been read,

Mr. J. M. Howard, from the committee on enrolment, reported as correctly enrolled, the act entitled "An act to incorporate the Medina and Canandaigua railroad company."

Mr. Buel, from the committee on the judiciary, to whom was referred bills entitled "A bill providing for the recording of the laws, and for other purposes," "A bill to authorize the administrators on the estate of Caius C. Robinson, late of the county of Lenawee, and state of Michigan, deceased, to sell and convey certain real estate," and "A bill for the relief of John T. Fryatt," and "A resolution proposing certain amendments to the constitution of the state," reported the same to the House without amendment.

Said bills were then laid on the table.

Mr. Lacey, from the committee on the unfinished business, in pursuance of a resolution yesterday passed, reported a list of bills, on table, which report was laid on the table.

Mr. McClelland, from the committee on internal improvement, to whom was referred "A bill to extend the time for the construction and completion of the Detroit and Maumee railroad," reported the same to the House without amendment.

Said bill was then laid on the table.

Mr. Cook offered the following resolution, which was read a

first and second times, and laid on the table, according to rule, for one day.

Resolved by the Senate and House of Representatives, That the commissioners of internal improvement be directed to stop all further expenditures upon the Havre branch railroad, until the further action of the legislature.

The rule having been suspended, said resolution was passed, by yeas and nays, as follows:

YEAS.

Mr. Beaufait,	Mr. J. Howard,	Mr. Spafford,
Mr. Buckbee,	Mr. King,	Mr. J. R. Smith,
Mr. Champlin,	Mr. Odell,	Mr. Vickery,
Mr. Cook,	Mr. Payne,	Mr. Wixom,
Mr. Dorsey,	Mr. Poucher,	Mr. Williams,
Mr. Gidley,	Mr. Risdon,	Mr. Speaker.
Mr. J. M. Howard,		

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NAYS.

Mr. Ball,	Mr. Lacey,	Mr. Sheldon,
Mr. Bement,	Mr. Levake,	Mr. Thompson,
Mr. Buel,	Mr. McClelland,	Mr. Wakefield;
Mr. Doty,	Mr. Montgomery,	Mr. Wadhamis,
Mr. Decker,	Mr. H. Smith,	

14

Mr. Vickery moved that the House take up a resolution, by him submitted, in relation to the northern railroad, which was negatived, by yeas and nays, as follows:

YEAS.

Mr. Beaufait,	Mr. King,	Mr. Spafford,
Mr. Champlin,	Mr. Lacey,	Mr. J. R. Smith,
Mr. Cook,	Mr. Odell,	Mr. Vickery,
Mr. Gidley,	Mr. Payne,	Mr. Williams,
Mr. J. M. Howard,	Mr. Poucher,	Mr. Speaker,
Mr. J. Howard,	Mr. H. Smith,	

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NAYS.

Mr. Adams,	Mr. Gant,	Mr. Risdon,
Mr. Ball,	Mr. Hotchkiss,	Mr. Sheldon,
Mr. Bement,	Mr. Kent,	Mr. Thompson,
Mr. Buel,	Mr. Levake,	Mr. Wakefield,
Mr. Buckbee,	Mr. McClelland,	Mr. Wixom,
Mr. Dorsey,	Mr. Pray,	Mr. Wadhamis,
Mr. Decker,		

On motion of Mr. Bement,

Resolved, That the committee on the judiciary inquire into the expediency of granting to all incorporated villages, the control of licenses for groceries and taverns in the same, and they report by bill or otherwise.

The Chair announced a message from the Senate, in the words following :

Mr. SPEAKER—In pursuance of the rules of the Senate, I here-with transmit a resolution relative to an appropriation by congress, for improving the harbor at the mouth of Clinton river, which has passed the Senate, and in which the concurrence of the House of Representatives is respectfully requested.

The resolution from the Senate, entitled as above, was taken up, read the first and second times, and according to rule laid on the table for one day.

The rule having been suspended, said resolution was taken up for consideration.

On motion of Mr. J. Howard, said resolution was amended by adding the words “also the sum of ten thousand dollars to construct a tow path on the bank of the River Rouge, between its mouth and the United States arsenal at Dearbornville.”

Said resolution, as amended, then passed.

Mr. Bement moved a reconsideration of the vote yesterday taken upon the adoption of a resolution, relative to the meeting of the two houses in joint assembly, which was decided in the affirmative.

The question then being upon the adoption of said resolution, it was decided, by yeas and nays, as follows :

YEAS.

Mr. Adams,	Mr. Cooley,	Mr. Odell,
Mr. Burke,	Mr. Gidley,	Mr. Risdon,
Mr. Beaufait,	Mr. J. M. Howard,	Mr. H. Smith,
Mr. Butler,	Mr. J. Howard,	Mr. Sheldon,
Mr. Buckbee,	Mr. Lacey,	Mr. J. R. Smith,
Mr. Champlin,	Mr. Montgomery,	Mr. Vickery,
Mr. Cook,		

19

NAYS.

Mr. Ball,	Mr. King,	Mr. Spafford,
Mr. Bement,	Mr. Levake,	Mr. Thompson,

Mr. Dorsey,	Mr. McClelland,	Mr. Wakefield,
Mr. Doty,	Mr. Moran,	Mr. Wixom,
Mr. Decker,	Mr. Pray,	Mr. Williams,
Mr. Gantt,	Mr. Payne,	Mr. Wadham,
Mr. Hotchkiss,	Mr. Poucher,	Mr. Speaker,
Mr. Kent,		

22

On motion of Mr. McClelland,

Resolved, That the House will proceed, at 12 o'clock M., this day, to receive and act upon the nominations of the Governor for commissioners of internal improvements.

Mr. McClelland moved that a committee of two be appointed to wait upon the Executive, and inform him of the adoption of the foregoing resolution.

Whereupon the Chair announced Messrs. McClelland and Williams as said committee.

Mr. Moran, from the committee on ways and means, to whom was referred the bill from Senate, entitled "A bill making appropriations in part for the year one thousand eight hundred and thirty-eight, for the pay of officers and members of the legislature," reported the same to the House with sundry amendments.

Said bill was then laid on the table,

The House then resolved itself into a committee of the whole, Mr. Bement in the chair, upon the bill "for the relief of the Ypsilanti and Tecumseh railroad company," and after some time spent thereon, the committee rose, and through their chairman, reported the same to the House with sundry amendments, which were concurred in.

Said bill was then ordered to be engrossed for a third reading.

The rule having been suspended, said bill was taken up for a third reading, when Mr. Smith moved to amend by adding the following as an additional section :

Sec. . The same sum shall also be loaned to the River Raisin and Grand river railroad company, on the same terms and with the same security, to be applied between Tecumseh and Dundee.

Mr. Wakefield moved to amend by adding the words following, which did not prevail :

"On the express condition that the said company give ample

security to this state for the full and perfect completion of the said railroad within eighteen months after the passage of this act."

Said bill was then passed, by yeas and nays, as follows :

YEAS.

Mr. Adams,	Mr. Doty,	Mr. Poucher,
Mr. Bement,	Mr. Gidley,	Mr. Risdon,
Mr. Buel,	Mr. J. M. Howard,	Mr. Spafford,
Mr. Buckbee,	Mr. Lane,	Mr. Sheldon,
Mr. Champlin,	Mr. Levake,	Mr. J. R. Smith,
Mr. Cook,	Mr. Moran,	Mr. Vickery,
Mr. Cooley,	Mr. Payne,	Mr. Williams,

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NAYS.

Mr. Ball,	Mr. Hotchkiss,	Mr. H. Smith.
Mr. Burke,	Mr. Kent,	Mr. Thompson,
Mr. Beaufait,	Mr. King,	Mr. Wakefield,
Mr. Dorsey,	Mr. Lacey,	Mr. Wixom,
Mr. Decker,	Mr. McClelland,	Mr. Wadham,
Mr. Draper,	Mr. Montgomery,	Mr. Speaker,
Mr. Ganitt,	Mr. Odell,	

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The committee appointed to wait upon the Governor, returned and reported that they had performed the duty assigned them, and received for answer that the Governor would transmit nominations for a board of commissioners of internal improvements at twelve o'clock M.

The following message was received from the Executive, through C. C. Jackson, Esq. his private secretary :

To the House of Representatives :

I hereby nominate the following persons to be members of the board of internal improvement, under the act of March 21, 1838, viz : Lansing B. Mizner, of Wayne ; Levi S. Humphrey, of Monroe ; James B. Hunt, of Oakland ; William A. Burt, of Macomb ; Edwin H. Lothrop, of Kalamazoo ; Hiram Alden, of Branch ; and Rix Robinson, of Kent county.

STEVENS T. MASON.

April 4, 1838.

On motion of Mr. Cook, the nominations of the Executive, as above transmitted, were laid on the table until two o'clock P. M.

On motion of Mr. Payne, the House then took up the enacting

clause of the bill entitled "A bill supplementary to an act entitled 'An act for the relief the Palmyra and Jacksonburgh railroad.'"

Mr. Payne then offered a substitute for that portion which was yesterday stricken out, which was adopted.

Said bill was then ordered to be engrossed for a third reading.

The rule having been suspended, said bill was read a third time and passed, by yeas and nays, as follows:

YEAS.

Mr. Adams,	Mr. Gidley,	Mr. Poucher,
Mr. Bement,	Mr. Hotchkiss,	Mr. Risdon,
Mr. Buckbee,	Mr. Lane,	Mr. H. Smith,
Mr. Champlin,	Mr. McClelland,	Mr. Spafford,
Mr. Cook,	Mr. Montgomery,	Mr. J. R. Smith,
Mr. Cooley,	Mr. Payne,	Mr. Thompson,
Mr. Doty,		

19

NAYS.

Mr. Ball,	Mr. Kent,	Mr. Wakefield;
Mr. Beaufait,	Mr. Lacey,	Mr. Wixom,
Mr. Decker,	Mr. Moran,	Mr. Wadham,
Mr. Gantt,	Mr. Odell,	Mr. Speaker,
Mr. J. M. Howard,	Mr. Vickery,	

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The House then took up the bill from the Senate, entitled "A bill for the relief of John T. Fryatt," which was read a third time and passed.

Mr. Vickery gave notice that he should, at some future day, ask leave to bring in a bill entitled "A bill to amend an act entitled 'An act to incorporate the village of Allegan.'"

On motion, the House adjourned.

AFTERNOON SESSION.

The House met pursuant to adjournment.

The roll having been called,

The Chair announced a message from the Senate, in the words following:

Mr. SPEAKER—In pursuance of the rules of the Senate, I hereby transmit a resolution which has passed the Senate, entitled "A joint resolution directing certain moneys to be expended on the western end of the southern and central railroads of this state," and the bills entitled "A bill to make certain appropriations for the

improvement of the navigation of the river St. Joseph, and other rivers mentioned therein," and "A bill to provide for a change of the Lapeer road, in the township of Orion, in Oakland county." I also herewith return the bill entitled "A bill to incorporate the village of Clinton," with sundry amendments made thereto by the Senate, in which resolution, bills and amendments the concurrence of the House of Representatives is respectfully requested. I also herewith return, without amendment, the bill entitled "A bill to authorize Phineas Swarthout to convey a certain piece of land therein named.

The joint resolution from the Senate, entitled "A joint resolution directing certain moneys to be expended on the western end of the southern and central railroads of this state," was taken up, read a first and second times, and laid on the table, according to rule, for one day.

The bill from the Senate, entitled "A bill to incorporate the village of Clinton," together with sundry amendments made thereto by the Senate, was laid on the table.

The bill transmitted from the Senate, to make certain appropriations for the improvement of the navigation of the river St. Joseph, and other rivers mentioned therein, was read the first and second times, and referred to the committee on internal improvements; and the bill to provide for a change of the Lapeer road, in the township of Orion, and county of Oakland, was read the first and second times, and referred to the committee on roads and bridges.

The House then proceeded to the consideration of the nominations of the Executive for a board of internal improvement.

Mr. Levake moved to consider the nomination with closed doors, which was decided by yeas and nays, in the negative, as follows :

YEAS.

Mr. Adams,	Mr. J. Howard,	Mr. Odell,
Mr. Bement,	Mr. Hotchkiss,	Mr. Payne,
Mr. Beaufait,	Mr. King,	Mr. Poucher,
Mr. Buckbee,	Mr. Lacey,	Mr. Risdon,
Mr. Draper,	Mr. Levake,	Mr. Thompson,
Mr. Gant,	Mr. McClelland,	Mr. Wixom,
Mr. J. M. Howard,	Mr. Montgomery,	Mr. Wadham,

NAYS.

Mr. Ball,	Mr. Doty,	Mr. Spafford,
Mr. Burke,	Mr. Decker,	Mr. Sheldon,
Mr. Buel,	Mr. Gidley,	Mr. J. R. Smith,
Mr. Butler,	Mr. Kent,	Mr. Vickery,
Mr. Champlin,	Mr. Lane,	Mr. Wakefield,
Mr. Cook,	Mr. Moran,	Mr. Williams,
Mr. Cooley,	Mr. Pray,	Mr. Speaker,
Mr. Dorsey,	Mr. H. Smith,	

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Mr. J. Howard moved to lay the nominations of the Executive on the table until to-morrow morning at half-past nine o'clock, which was decided, by yeas and nays, in the negative, as follows :

YEAS.

Mr. Adams,	Mr. J. Howard,	Mr. Payne,
Mr. Buckbee,	Mr. Hotchkiss,	Mr. H. Smith,
Mr. Champlin,	Mr. Kent,	Mr. Spafford,
Mr. Cook,	Mr. Levake,	Mr. Sheldon,
Mr. Dorsey,	Mr. McClelland,	Mr. Thompson,
Mr. Draper,	Mr. Montgomery,	Mr. Wakefield,
Mr. J. M. Howard,	Mr. Odell,	

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NAYS.

Mr. Ball,	Mr. Decker,	Mr. Poucher,
Mr. Burke,	Mr. Gidley,	Mr. Risdon,
Mr. Bement,	Mr. Gantt,	Mr. J. R. Smith,
Mr. Buel,	Mr. King,	Mr. Vickery,
Mr. Beaufait,	Mr. Lacey,	Mr. Wixom,
Mr. Butler,	Mr. Lane,	Mr. Williams,
Mr. Cook,	Mr. Moran,	Mr. Wadham,
Mr. Doty,	Mr. Pray,	Mr. Speaker,

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Mr. Buckbee moved to refer the nominations of the Executive to a select committee of one from each senatorial district, with instructions to report the same to the House to-morrow morning, at half-past nine o'clock, which was decided by yeas and nays, in the negative, as follows :

YEAS.

Mr. Adams,	Mr. Gantt,	Mr. Pray,
Mr. Bement,	Mr. J. Howard,	Mr. Payne,
Mr. Buckbee,	Mr. Hotchkiss,	Mr. Poucher,
Mr. Doty,	Mr. Levake,	Mr. Spafford,
Mr. Draper,	Mr. Montgomery,	Mr. Thompson,

15

NAYS.

Mr. Ball,	Mr. Gidley,	Mr. H. Smith,
Mr. Burke,	Mr. J. M. Howard,	Mr. Sheldon,
Mr. Buel,	Mr. Kent,	Mr. J. R. Smith,
Mr. Beaufait,	Mr. King,	Mr. Vickery,
Mr. Butler,	Mr. Lacey,	Mr. Wakefield,
Mr. Champlin,	Mr. Lane,	Mr. Wixom,
Mr. Cook,	Mr. McClelland,	Mr. Williams,
Mr. Cooley,	Mr. Moran,	Mr. Wadham,
Mr. Dorsey,	Mr. Odell,	Mr. Speaker,
Mr. Decker,	Mr. Risdon,	

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On motion of Mr. McClelland, the House proceeded to consider the nominations separately.

On motion, the yeas and nays were ordered on each nomination.

The question being upon advising and consenting to the nomination of Lansing B. Mizner, it was decided by yeas and nays, as follows :

YEAS.

Mr. Ball,	Mr. King,	Mr. Risdon,
Mr. Burke,	Mr. Lacey,	Mr. H. Smith,
Mr. Buel,	Mr. Lane,	Mr. Spafford,
Mr. Beaufait,	Mr. Levake,	Mr. Sheldon,
Mr. Butler,	Mr. McClelland,	Mr. J. R. Smith,
Mr. Buckbee,	Mr. Moran,	Mr. Vickery,
Mr. Cooley,	Mr. Montgomery,	Mr. Wakefield,
Mr. Dorsey,	Mr. Pray,	Mr. Williams,
Mr. J. M. Howard,	Mr. Payne,	Mr. Wadham,
Mr. Hotchkiss,	Mr. Poucher,	Mr. Speaker,
Mr. Kent,		

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NAYS.

Mr. Adams,	Mr. Decker,	Mr. J. Howard,
Mr. Bement,	Mr. Draper,	Mr. Odell,
Mr. Champlin,	Mr. Gidley,	Mr. Thompson,
Mr. Cook,	Mr. Gantt,	Mr. Wixom,
Mr. Doty,		

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The question being upon advising and consenting to the nomination of Levi S. Humphrey, it was decided, by yeas and nays, as follows :

YEAS.

Mr. Adams,	Mr. Gidley,	Mr. Payne,
Mr. Ball,	Mr. Gantt,	Mr. Poucher,

Mr. Bement,	Mr. J. M. Howard,	Mr. Risdon,
Mr. Beaufait,	Mr. Hotchkiss,	Mr. Spafford,
Mr. Butler,	Mr. Kent,	Mr. Sheldon,
Mr. Buckbee,	Mr. King,	Mr. J. R. Smith,
Mr. Cook,	Mr. Lacey,	Mr. Thompson,
Mr. Cooley,	Mr. Levake,	Mr. Wakefield,
Mr. Dorsey,	Mr. McClelland,	Mr. Wixom,
Mr. Doty,	Mr. Moran,	Mr. Wadham,
Mr. Decker,	Mr. Pray,	Mr. Speaker,
Mr. Draper,		

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NAYS.

Mr. Burke,	Mr. Lane,	Mr. H. Smith,
Mr. Buel,	Mr. Montgomery,	Mr. Vickery,
Mr. Champlin,	Mr. Odell,	Mr. Williams,
Mr. J. Howard,		

10

The question being upon advising and consenting to the nomination of James B. Hunt, it was decided, by yeas and nays, as follows :

YEAS.

Mr. Adams,	Mr. Gidley,	Mr. Payne,
Mr. Ball,	Mr. Gantt,	Mr. Poucher,
Mr. Bement,	Mr. J. M. Howard,	Mr. Risdon,
Mr. Buel,	Mr. Hotchkiss,	Mr. Spafford,
Mr. Beaufait,	Mr. Kent,	Mr. Sheldon,
Mr. Butler,	Mr. King,	Mr. J. R. Smith,
Mr. Buckbee,	Mr. Lacey,	Mr. Thompson,
Mr. Cooley,	Mr. Levake,	Mr. Wakefield,
Mr. Dorsey,	Mr. McClelland,	Mr. Wixom,
Mr. Doty,	Mr. Moran,	Mr. Wadham,
Mr. Decker,	Mr. Montgomery,	Mr. Speaker,
Mr. Draper,	Mr. Pray,	

35

NAYS.

Mr. Burke,	Mr. J. Howard,	Mr. H. Smith,
Mr. Champlin,	Mr. Lane,	Mr. Vickery,
Mr. Cook,	Mr. Odell,	Mr. Williams,

9

The question being upon advising and consenting to the nomination of William A. Burt, it was decided, by yeas and nays, as follows :

YEAS.

Mr. Adams,	Mr. Draper,	Mr. Pray,
Mr. Ball,	Mr. Gidley,	Mr. Payne,
Mr. Burke,	Mr. J. M. Howard,	Mr. Poucher,

[April 4.

Mr. Bement,
Mr. Buel,
Mr. Beaufait,
Mr. Butler,
Mr. Champlin,
Mr. Cook,
Mr. Cooley,
Mr. Dorsey,
Mr. Doty,
Mr. Decker,

Mr. Hotchkiss,
Mr. Kent,
Mr. King,
Mr. Lacey,
Mr. Lane,
Mr. Levake,
Mr. McClelland,
Mr. Moran,
Mr. Montgomery,
Mr. Odell,

Mr. Risdon,
Mr. H. Smith,
Mr. Sheldon,
Mr. J. R. Smith,
Mr. Thompson,
Mr. Vickery,
Mr. Wakefield,
Mr. Wixom,
Mr. Williams,
Mr. Wadhamas, 39

NAYS.

Mr. Buckbee,
Mr. Gantt,

Mr. J. Howard,
Mr. Spafford,

Mr. Speaker, 5
Mr. Spafford,

The question being upon advising and consenting to the nomination of Edwin H. Lothrop, it was decided, by yeas and nays, as follows :

YEAS.

Mr. Adams,
Mr. Ball,
Mr. Burke,
Mr. Bement,
Mr. Buel,
Mr. Beaufait,
Mr. Butler,
Mr. Buckbee,
Mr. Cook,
Mr. Dorsey,
Mr. Doty,
Mr. Decker,

Mr. Gidley,
Mr. Gantt,
Mr. J. M. Howard,
Mr. Hotchkiss,
Mr. Kent,
Mr. King,
Mr. Lacey,
Mr. Levake,
Mr. McClelland,
Mr. Moran,
Mr. Montgomery,
Mr. Pray,

Mr. Payne,
Mr. Poucher,
Mr. Risdon,
Mr. Spafford,
Mr. Sheldon,
Mr. J. R. Smith,
Mr. Thompson,
Mr. Vickery,
Mr. Wakefield,
Mr. Wixom,
Mr. Wadhamas,
Mr. Speaker, 38

NAYS.

Mr. Champlin,
Mr. Cooley,
Mr. Draper,

Mr. J. Howard,
Mr. Lane,
Mr. Odell,

Mr. H. Smith,
Mr. Williams, 8
Mr. Odell,

The question being upon advising and consenting to the nomination of Hiram Alden, it was decided, by yeas and nays, as follows :

YEAS.

Mr. Ball,
Mr. Burke,
Mr. Dorsey,
Mr. Doty,

Mr. Kent,
Mr. King,
Mr. Lane,
Mr. Levake,

Mr. Montgomery,
Mr. Odell,
Mr. Risdon,
Mr. H. Smith,

Mr. Decker,	Mr. McClelland,	Mr. Wakefield,
Mr. Gantt,	Mr. Moran,	Mr. Wixom,
Mr. Hotchkiss,		

19

NAYS.

Mr. Adams,	Mr. Draper,	Mr. Spafford,
Mr. Bement,	Mr. Gidley,	Mr. Sheldon,
Mr. Buel,	Mr. J. M. Howard,	Mr. J. R. Smith,
Mr. Beaufait,	Mr. J. Howard,	Mr. Thompson,
Mr. Butler,	Mr. Lacey,	Mr. Vickery,
Mr. Buckbee,	Mr. Pray,	Mr. Williams,
Mr. Champlin,	Mr. Payne,	Mr. Wadham,
Mr. Cook,	Mr. Poucher,	Mr. Speaker,
Mr. Cooley,		

25

The question being upon advising and consenting to the nomination of Rix Robinson, it was decided by yeas and nays, as follows :

YEAS.

Mr. Ball,	Mr. J. M. Howard,	Mr. Payne,
Mr. Burke,	Mr. Kent,	Mr. Risdon,
Mr. Buel,	Mr. King,	Mr. H. Smith,
Mr. Cook,	Mr. Lacey,	Mr. Sheldon,
Mr. Cooley,	Mr. Lane,	Mr. J. R. Smith,
Mr. Dorsey,	Mr. Levake,	Mr. Vickery,
Mr. Decker,	Mr. McClelland,	Mr. Wakefield,
Mr. Draper,	Mr. Moran,	Mr. Williams,
Mr. Gidley,	Mr. Montgomery,	Mr. Wadham,
Mr. Gantt,	Mr. Odell,	Mr. Speaker,

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NAYS.

Mr. Adams,	Mr. Champlin,	Mr. Poucher,
Mr. Bement,	Mr. Doty,	Mr. Spafford,
Mr. Beaufait,	Mr. J. Howard,	Mr. Thompson,
Mr. Butler,	Mr. Hotchkiss,	Mr. Wixom,
Mr. Buckbee,	Mr. Pray,	

14

The nominations having been severally confirmed, with the exception of Hiram Alden, of Branch, Mr. McClelland moved that a committee of two be appointed to wait upon the Executive to inform him of the rejection of the above named commissioner, which was decided in the affirmative ; whereupon the Chair announced Messrs. Henry Smith and Butler, as said committee, who immediately returned and reported that they had performed the duty assigned them, and received for answer that the Governor

had no further nominations to make for commissioners of internal improvements at the present session of the legislature.

Mr. Gidley offered the following resolution :

Resolved, That as the sense of this House, that his Excellency Stevens T. Mason, refusing to nominate an officer of the board of internal improvements in the place of Hiram Alden, whose nomination the House has refused to confirm, has manifested a determination to retain the power of appointment in his own hands, in violation of the law and of the rights of the people.

Mr. Montgomery moved to lay the resolution upon the table, which was decided, by yeas and nays, in the negative, as follows:

YEAS.

Mr. Ball,	Mr. Levake,	Mr. Risdon,
Mr. Buel,	Mr. McClelland,	Mr. H. Smith,
Mr. Beaufait,	Mr. Moran,	Mr. Spafford,
Mr. Buckbee,	Mr. Montgomery,	Mr. Wakefield,
Mr. Decker,	Mr. Pray,	Mr. Wixom,
Mr. Kent,	Mr. Poucher,	Mr. Wadham,
Mr. King,		

19

NAYS.

Mr. Adams,	Mr. Draper,	Mr. Odell,
Mr. Burke,	Mr. Gidley,	Mr. Payne,
Mr. Bement,	Mr. Gantt,	Mr. Sheldon,
Mr. Butler,	Mr. J. M. Howard,	Mr. J. R. Smith,
Mr. Champlin,	Mr. J. Howard,	Mr. Thompson,
Mr. Cook,	Mr. Hotchkiss,	Mr. Vickery,
Mr. Cooley,	Mr. Lacey,	Mr. Williams,
Mr. Doty,	Mr. Lane,	Mr. Speaker,

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Mr. Henry Smith moved to postpone the further consideration of said resolution, until half past seven o'clock this evening ; it was decided, by yeas and nays, in the affirmative, as follows :

YEAS.

Mr. Adams,	Mr. Decker,	Mr. Pray,
Mr. Ball,	Mr. Gantt,	Mr. Poucher,
Mr. Burke,	Mr. Hotchkiss,	Mr. Risdon,
Mr. Bement,	Mr. Kent,	Mr. H. Smith,
Mr. Buel,	Mr. King,	Mr. Spafford,
Mr. Beaufait,	Mr. Levake,	Mr. J. R. Smith,
Mr. Butler,	Mr. McClelland,	Mr. Wakefield,
Mr. Buckbee,	Mr. Moran,	Mr. Wixom,
Mr. Cooley,	Mr. Montgomery,	Mr. Wadham,
Mr. Doty,	Mr. Odell,	Mr. Speaker,

30

NAYS.

Mr. Cook,	Mr. J. Howard,	Mr. Sheldon,
Mr. Draper,	Mr. Lacey,	Mr. Thompson,
Mr. Gidley,	Mr. Lane,	Mr. Vickery,
Mr. J. M. Howard,	Mr. Payne,	Mr. Williams, 12

On motion, the House adjourned until seven o'clock this evening.

EVENING SESSION.

The House met pursuant to adjournment.

The roll having been called,

The House then took up the resolution submitted by Mr. Gidley, when, on motion of Mr. Hotchkiss, it was again laid on the table, by yeas and nays, as follows :

YEAS.

Mr. Adams,	Mr. Hotchkiss,	Mr. Risdon,
Mr. Ball,	Mr. Kent,	Mr. H. Smith,
Mr. Buel,	Mr. King,	Mr. Spafford,
Mr. Beaufait,	Mr. McClelland,	Mr. J. R. Smith,
Mr. Buckbee,	Mr. Moran,	Mr. Wadham, 16
Mr. Champlin,		

NAYS.

Mr. Burke,	Mr. J. M. Howard,	Mr. Payne,
Mr. Cook,	Mr. J. Howard,	Mr. Sheldon,
Mr. Cooley,	Mr. Lacey,	Mr. Thompson,
Mr. Draper,	Mr. Lane,	Mr. Vickery,
Mr. Gidley,	Mr. Odell,	Mr. Williams, 15

The Chair announced a message from the Senate in the words following :

Mr. SPEAKER—In pursuance of the rules of the Senate, I herewith transmit a bill which has passed the Senate, entitled "A bill further to regulate the practice of courts of record in this state," and I also herewith return title eight of part third of the revision of the laws, with sundry amendments made thereto by the Senate, in which amendments and bill, the concurrence of the House of Representatives is respectfully requested.

The bill transmitted from the Senate, entitled as above, was taken up, read a first and second times and referred to the committee on the judiciary.

The title returned from the Senate, entitled as above, with amendments, was taken up and the amendments severally concurred in.

Said bill as amended then passed.

The Chair announced the following message from the Executive:

To the House of Representatives :

I have this day approved and filed in the office of the Secretary of State, the following act, viz : "An act to regulate the terms of the circuit court in the county of Lenawee."

STEVENS T. MASON.

April 3, 1838.

Mr. J. M. Howard, from the committee on enrolment, reported as correctly enrolled "An act to incorporate the village of Dearbornville," "An act to incorporate the Mottville and White Pigeon railroad company," "An act to provide a place for holding the circuit court for the county of Ottawa," "An act supplementary to an act authorizing the construction of a ship canal around the Falls of Ste. Marie," and "An act to incorporate the village of Grand Rapids."

The House then took up, as in committee of the whole, the bill entitled "A bill to incorporate the Bank of the state of Michigan."

Mr. J. M. Howard moved to amend by striking out in section seven, line one, the word "nine," and inserting "eight," also in line two of same section, strike out "five," and insert "four," which was decided, by yeas and nays, in the affirmative, as follows :

YEAS.

Mr. Butler,	Mr. J. Howard,	Mr. J. R. Smith,
Mr. Cook,	Mr. Lane,	Mr. Thompson,
Mr. Cooley,	Mr. McClelland,	Mr. Vickery,
Mr. Gidley,	Mr. Odell,	Mr. Wakefield,
Mr. Gantt,	Mr. Payne,	Mr. Wixom,
Mr. J. M. Howard,	Mr. Sheldon,	Mr. Williams,

NAYS.

Mr. Adams,	Mr. Decker,	Mr. Montgomery,
Mr. Ball,	Mr. Hotchkiss,	Mr. Poucher,
Mr. Buel,	Mr. Kent,	Mr. Risdon,
Mr. Beaufait,	Mr. Lacey,	Mr. H. Smith,
Mr. Buckbee,	Mr. Moran,	Mr. Wadham,
Mr. Dorsey,		

16

The Chair announced the following message from the Senate :

Mr. SPEAKER—In pursuance of the rules of the Senate, I here-with return without amendment, chapter _____ of title six, of the revision of the laws, entitled “Of fees,” and bill entitled “A bill to organize the county of Ingham,” with an amendment, in which the concurrence of the House of Representatives is respectfully requested.

The bill to organize the county of Ingham, returned from the Senate with an amendment, was taken up, and the amendment concurred in.

Said bill as amended was then read a third time and passed.

On motion, the House adjourned.

Thursday, April 5.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Comstock.

The roll having been called, and

The proceedings of yesterday having been read,

Mr. Risdon presented a petition to organize a new township ; referred to the committee on towns and counties.

Mr. Risdon, from the committee on roads and bridges, to whom was referred the bill from the Senate, entitled “A bill to provide for a change of the Lapeer road, in the township of Orion, in Oakland county,” reported the same to the House without amendment.

Said bill was then laid on the table.

The Chair announced Mr. King as a member of the committee on enrolment, to fill the vacancy occasioned by the absence of Mr. Lancaster.

Mr. McClelland, from the committee on internal improvement, to which was referred the bill from the Senate, entitled “A bill to make certain appropriations for the improvement of the navigation of the river St. Joseph, and other rivers mentioned therein,” reported the same to the House without amendment ; said bill was then laid on the table.

improvement of the navigation of the river St. Joseph, and other rivers mentioned therein," and "A bill to provide for a change of the Lapeer road, in the township of Orion, in Oakland county." I also herewith return the bill entitled "A bill to incorporate the village of Clinton," with sundry amendments made thereto by the Senate, in which resolution, bills and amendments the concurrence of the House of Representatives is respectfully requested. I also herewith return, without amendment, the bill entitled "A bill to authorize Phineas Swarthout to convey a certain piece of land therein named.

The joint resolution from the Senate, entitled "A joint resolution directing certain moneys to be expended on the western end of the southern and central railroads of this state," was taken up, read a first and second times, and laid on the table, according to rule, for one day.

The bill from the Senate, entitled "A bill to incorporate the village of Clinton," together with sundry amendments made thereto by the Senate, was laid on the table.

The bill transmitted from the Senate, to make certain appropriations for the improvement of the navigation of the river St. Joseph, and other rivers mentioned therein, was read the first and second times, and referred to the committee on internal improvements; and the bill to provide for a change of the Lapeer road, in the township of Orion, and county of Oakland, was read the first and second times, and referred to the committee on roads and bridges.

The House then proceeded to the consideration of the nominations of the Executive for a board of internal improvement.

Mr. Levake moved to consider the nomination with closed doors, which was decided by yeas and nays, in the negative, as follows :

YEAS.

Mr. Adams,	Mr. J. Howard,	Mr. Odell,
Mr. Bement,	Mr. Hotchkiss,	Mr. Payne,
Mr. Beaufait,	Mr. King,	Mr. Poucher,
Mr. Buckbee,	Mr. Lacey,	Mr. Risdon,
Mr. Draper,	Mr. Levake,	Mr. Thompson,
Mr. Gant,	Mr. McClelland,	Mr. Wixom,
Mr. J. M. Howard,	Mr. Montgomery,	Mr. Wadham,

NAYS.

Mr. Ball,	Mr. Doty,	Mr. Spafford,
Mr. Burke,	Mr. Decker,	Mr. Sheldon,
Mr. Buel,	Mr. Gidley,	Mr. J. R. Smith,
Mr. Butler,	Mr. Kent,	Mr. Vickery,
Mr. Champlin,	Mr. Lane,	Mr. Wakefield,
Mr. Cook,	Mr. Moran,	Mr. Williams,
Mr. Cooley,	Mr. Pray,	Mr. Speaker,
Mr. Dorsey,	Mr. H. Smith,	

23

Mr. J. Howard moved to lay the nominations of the Executive on the table until to-morrow morning at half-past nine o'clock, which was decided, by yeas and nays, in the negative, as follows :

YEAS.

Mr. Adams,	Mr. J. Howard,	Mr. Payne,
Mr. Buckbee,	Mr. Hotchkiss,	Mr. H. Smith,
Mr. Champlin,	Mr. Kent,	Mr. Spafford,
Mr. Cook,	Mr. Levake,	Mr. Sheldon,
Mr. Dorsey,	Mr. McClelland,	Mr. Thompson,
Mr. Draper,	Mr. Montgomery,	Mr. Wakefield,
Mr. J. M. Howard,	Mr. Odell,	

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NAYS.

Mr. Ball,	Mr. Decker,	Mr. Poucher,
Mr. Burke,	Mr. Gidley,	Mr. Risdon,
Mr. Bement,	Mr. Gantt,	Mr. J. R. Smith,
Mr. Buel,	Mr. King,	Mr. Vickery,
Mr. Beaufait,	Mr. Lacey,	Mr. Wixom,
Mr. Butler,	Mr. Lane,	Mr. Williams,
Mr. Cook,	Mr. Moran,	Mr. Wadham,
Mr. Doty,	Mr. Pray,	Mr. Speaker,

24

Mr. Buckbee moved to refer the nominations of the Executive to a select committee of one from each senatorial district, with instructions to report the same to the House to-morrow morning, at half-past nine o'clock, which was decided by yeas and nays, in the negative, as follows :

YEAS.

Mr. Adams,	Mr. Gantt,	Mr. Pray,
Mr. Bement,	Mr. J. Howard,	Mr. Payne,
Mr. Buckbee,	Mr. Hotchkiss,	Mr. Poucher,
Mr. Doty,	Mr. Levake,	Mr. Spafford,
Mr. Draper,	Mr. Montgomery,	Mr. Thompson,

15

NAYS.

Mr. Ball,	Mr. Gidley,	Mr. H. Smith,
Mr. Burke,	Mr. J. M. Howard,	Mr. Sheldon,
Mr. Buel,	Mr. Kent,	Mr. J. R. Smith,
Mr. Beaufait,	Mr. King,	Mr. Vickery,
Mr. Butler,	Mr. Lacey,	Mr. Wakefield,
Mr. Champlin,	Mr. Lane,	Mr. Wixom,
Mr. Cook,	Mr. McClelland,	Mr. Williams,
Mr. Cooley,	Mr. Moran,	Mr. Wadham,
Mr. Dorsey,	Mr. Odell,	Mr. Speaker,
Mr. Decker,	Mr. Risdon,	

29

On motion of Mr. McClelland, the House proceeded to consider the nominations separately.

On motion, the yeas and nays were ordered on each nomination.

The question being upon advising and consenting to the nomination of Lansing B. Mizner, it was decided by yeas and nays, as follows :

YEAS.

Mr. Ball,	Mr. King,	Mr. Risdon,
Mr. Burke,	Mr. Lacey,	Mr. H. Smith,
Mr. Buel,	Mr. Lane,	Mr. Spafford,
Mr. Beaufait,	Mr. Levake,	Mr. Sheldon,
Mr. Butler,	Mr. McClelland,	Mr. J. R. Smith,
Mr. Buckbee,	Mr. Moran,	Mr. Vickery,
Mr. Cooley,	Mr. Montgomery,	Mr. Wakefield,
Mr. Dorsey,	Mr. Pray,	Mr. Williams,
Mr. J. M. Howard,	Mr. Payne,	Mr. Wadham,
Mr. Hotchkiss,	Mr. Poucher,	Mr. Speaker,
Mr. Kent,		

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NAYS.

Mr. Adams,	Mr. Decker,	Mr. J. Howard,
Mr. Bement,	Mr. Draper,	Mr. Odell,
Mr. Champlin,	Mr. Gidley,	Mr. Thompson,
Mr. Cook,	Mr. Gantt,	Mr. Wixom,
Mr. Doty,		

13

The question being upon advising and consenting to the nomination of Levi S. Humphrey, it was decided, by yeas and nays, as follows :

YEAS.

Mr. Adams,	Mr. Gidley,	Mr. Payne,
Mr. Ball,	Mr. Gantt,	Mr. Poucher,

Mr. Bement,	Mr. J. M. Howard,	Mr. Risdon,
Mr. Beaufait,	Mr. Hotchkiss,	Mr. Spafford,
Mr. Butler,	Mr. Kent,	Mr. Sheldon,
Mr. Buckbee,	Mr. King,	Mr. J. R. Smith,
Mr. Cook,	Mr. Lacey,	Mr. Thompson,
Mr. Cooley,	Mr. Levake,	Mr. Wakefield,
Mr. Dorsey,	Mr. McClelland,	Mr. Wixom,
Mr. Doty,	Mr. Moran,	Mr. Wadham,
Mr. Decker,	Mr. Pray,	Mr. Speaker,
Mr. Draper,		

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NAYS.

Mr. Burke,	Mr. Lane,	Mr. H. Smith,
Mr. Buel,	Mr. Montgomery,	Mr. Vickery,
Mr. Champlin,	Mr. Odell,	Mr. Williams,
Mr. J. Howard,		

10

The question being upon advising and consenting to the nomination of James B. Hunt, it was decided, by yeas and nays, as follows :

YEAS.

Mr. Adams,	Mr. Gidley,	Mr. Payne,
Mr. Ball,	Mr. Gantt,	Mr. Poucher,
Mr. Bement,	Mr. J. M. Howard,	Mr. Risdon,
Mr. Buel,	Mr. Hotchkiss,	Mr. Spafford,
Mr. Beaufait,	Mr. Kent,	Mr. Sheldon,
Mr. Butler,	Mr. King,	Mr. J. R. Smith,
Mr. Buckbee,	Mr. Lacey,	Mr. Thompson,
Mr. Cooley,	Mr. Levake,	Mr. Wakefield,
Mr. Dorsey,	Mr. McClelland,	Mr. Wixom,
Mr. Doty,	Mr. Moran,	Mr. Wadham,
Mr. Decker,	Mr. Montgomery,	Mr. Speaker,
Mr. Draper,	Mr. Pray,	

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NAYS.

Mr. Burke,	Mr. J. Howard,	Mr. H. Smith,
Mr. Champlin,	Mr. Lane,	Mr. Vickery,
Mr. Cook,	Mr. Odell,	Mr. Williams,

9

The question being upon advising and consenting to the nomination of William A. Burt, it was decided, by yeas and nays, as follows :

YEAS.

Mr. Adams,	Mr. Draper,	Mr. Pray,
Mr. Ball,	Mr. Gidley,	Mr. Payne,
Mr. Burke,	Mr. J. M. Howard,	Mr. Poucher,

Mr. Bement,
Mr. Buel,
Mr. Beaufait,
Mr. Butler,
Mr. Champlin,
Mr. Cook,
Mr. Cooley,
Mr. Dorsey,
Mr. Doty,
Mr. Decker,

Mr. Hotchkiss,
Mr. Kent,
Mr. King,
Mr. Lacey,
Mr. Lane,
Mr. Levake,
Mr. McClelland,
Mr. Moran,
Mr. Montgomery,
Mr. Odell,

Mr. Risdon,
Mr. H. Smith,
Mr. Sheldon,
Mr. J. R. Smith,
Mr. Thompson,
Mr. Vickery,
Mr. Wakefield,
Mr. Wixom,
Mr. Williams,
Mr. Wadhams,

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NAYS.

Mr. Buckbee,
Mr. Gantt,

Mr. J. Howard,
Mr. Spafford,

Mr. Speaker,

5

The question being upon advising and consenting to the nomination of Edwin H. Lothrop, it was decided, by yeas and nays, as follows :

YEAS.

Mr. Adams,
Mr. Ball,
Mr. Burke,
Mr. Bement,
Mr. Buel,
Mr. Beaufait,
Mr. Butler,
Mr. Buckbee,
Mr. Cook,
Mr. Dorsey,
Mr. Doty,
Mr. Decker,

Mr. Gidley,
Mr. Gantt,
Mr. J. M. Howard,
Mr. Hotchkiss,
Mr. Kent,
Mr. King,
Mr. Lacey,
Mr. Levake,
Mr. McClelland,
Mr. Moran,
Mr. Montgomery,
Mr. Pray,

Mr. Payne,
Mr. Poucher,
Mr. Risdon,
Mr. Spafford,
Mr. Sheldon,
Mr. J. R. Smith,
Mr. Thompson,
Mr. Vickery,
Mr. Wakefield,
Mr. Wixom,
Mr. Wadhams,
Mr. Speaker,

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NAYS.

Mr. Champlin,
Mr. Cooley,
Mr. Draper,

Mr. J. Howard,
Mr. Lane,
Mr. Odell,

Mr. H. Smith,
Mr. Williams,

8

The question being upon advising and consenting to the nomination of Hiram Alden, it was decided, by yeas and nays, as follows :

YEAS.

Mr. Ball,
Mr. Burke,
Mr. Dorsey,
Mr. Doty,

Mr. Kent,
Mr. King,
Mr. Lane,
Mr. Levake,

Mr. Montgomery,
Mr. Odell,
Mr. Risdon,
Mr. H. Smith,

Mr. Decker,	Mr. McClelland,	Mr. Wakefield,
Mr. Gantt,	Mr. Moran,	Mr. Wixom,
Mr. Hotchkiss,		

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NAYS.

Mr. Adams,	Mr. Draper,	Mr. Spafford,
Mr. Bement,	Mr. Gidley,	Mr. Sheldon,
Mr. Buel,	Mr. J. M. Howard,	Mr. J. R. Smith,
Mr. Beaufait,	Mr. J. Howard,	Mr. Thompson,
Mr. Butler,	Mr. Lacey,	Mr. Vickery,
Mr. Buckbee,	Mr. Pray,	Mr. Williams,
Mr. Champlin,	Mr. Payne,	Mr. Wadham,
Mr. Cook,	Mr. Poucher,	Mr. Speaker,
Mr. Cooley,		

25

The question being upon advising and consenting to the nomination of Rix Robinson, it was decided by yeas and nays, as follows:

YEAS.

Mr. Ball,	Mr. J. M. Howard,	Mr. Payne,
Mr. Burke,	Mr. Kent,	Mr. Risdon,
Mr. Buel,	Mr. King,	Mr. H. Smith,
Mr. Cook,	Mr. Lacey,	Mr. Sheldon,
Mr. Cooley,	Mr. Lane,	Mr. J. R. Smith,
Mr. Dorsey,	Mr. Levake,	Mr. Vickery,
Mr. Decker,	Mr. McClelland,	Mr. Wakefield,
Mr. Draper,	Mr. Moran,	Mr. Williams,
Mr. Gidley,	Mr. Montgomery,	Mr. Wadham,
Mr. Gantt,	Mr. Odell,	Mr. Speaker,

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NAYS.

Mr. Adams,	Mr. Champlin,	Mr. Poucher,
Mr. Bement,	Mr. Doty,	Mr. Spafford,
Mr. Beaufait,	Mr. J. Howard,	Mr. Thompson,
Mr. Butler,	Mr. Hotchkiss,	Mr. Wixom,
Mr. Buckbee,	Mr. Pray,	

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The nominations having been severally confirmed, with the exception of Hiram Alden, of Branch, Mr. McClelland moved that a committee of two be appointed to wait upon the Executive to inform him of the rejection of the above named commissioner, which was decided in the affirmative; whereupon the Chair announced Messrs. Henry Smith and Butler, as said committee, who immediately returned and reported that they had performed the duty assigned them, and received for answer that the Governor

had no further nominations to make for commissioners of internal improvements at the present session of the legislature.

Mr. Gidley offered the following resolution :

Resolved, That as the sense of this House, that his Excellency Stevens T. Mason, refusing to nominate an officer of the board of internal improvements in the place of Hiram Alden, whose nomination the House has refused to confirm, has manifested a determination to retain the power of appointment in his own hands, in violation of the law and of the rights of the people.

Mr. Montgomery moved to lay the resolution upon the table, which was decided, by yeas and nays, in the negative, as follows:

YEAS.

Mr. Ball,	Mr. Levake,	Mr. Risdon,
Mr. Buel,	Mr. McClelland,	Mr. H. Smith,
Mr. Beaufait,	Mr. Moran,	Mr. Spafford,
Mr. Buckbee.	Mr. Montgomery,	Mr. Wakefield,
Mr. Decker,	Mr. Pray,	Mr. Wixom,
Mr. Kent,	Mr. Poucher,	Mr. Wadham,
Mr. King,		

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NAYS.

Mr. Adams,	Mr. Draper,	Mr. Odell,
Mr. Burke,	Mr. Gidley,	Mr. Payne,
Mr. Bement,	Mr. Gant,	Mr. Sheldon,
Mr. Butler,	Mr. J. M. Howard,	Mr. J. R. Smith,
Mr. Champlin,	Mr. J. Howard,	Mr. Thompson,
Mr. Cook,	Mr. Hotchkiss,	Mr. Vickery,
Mr. Cooley,	Mr. Lacey,	Mr. Williams,
Mr. Doty,	Mr. Lane,	Mr. Speaker,

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Mr. Henry Smith moved to postpone the further consideration of said resolution, until half past seven o'clock this evening ; it was decided, by yeas and nays, in the affirmative, as follows :

YEAS.

Mr. Adams,	Mr. Decker,	Mr. Pray,
Mr. Ball,	Mr. Gant,	Mr. Poucher,
Mr. Burke,	Mr. Hotchkiss,	Mr. Risdon,
Mr. Bement,	Mr. Kent,	Mr. H. Smith,
Mr. Buel,	Mr. King,	Mr. Spafford,
Mr. Beaufait,	Mr. Levake,	Mr. J. R. Smith,
Mr. Butler,	Mr. McClelland,	Mr. Wakefield,
Mr. Buckbee,	Mr. Moran,	Mr. Wixom,
Mr. Cooley,	Mr. Montgomery,	Mr. Wadham,
Mr. Doty,	Mr. Odell,	Mr. Speaker,

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NAYS.

Mr. Cook,	Mr. J. Howard,	Mr. Sheldon,
Mr. Draper,	Mr. Lacey,	Mr. Thompson,
Mr. Gidley,	Mr. Lane,	Mr. Vickery,
Mr. J. M. Howard,	Mr. Payne,	Mr. Williams, 12

On motion, the House adjourned until seven o'clock this evening.

EVENING SESSION.

The House met pursuant to adjournment.

The roll having been called,

The House then took up the resolution submitted by Mr. Gidley, when, on motion of Mr. Hotchkiss, it was again laid on the table, by yeas and nays, as follows :

YEAS.

Mr. Adams,	Mr. Hotchkiss,	Mr. Risdon,
Mr. Ball,	Mr. Kent,	Mr. H. Smith,
Mr. Buel,	Mr. King,	Mr. Spafford,
Mr. Beaufait,	Mr. McClelland,	Mr. J. R. Smith,
Mr. Buckbee,	Mr. Moran,	Mr. Wadham,
Mr. Champlin,		16

NAYS.

Mr. Burke,	Mr. J. M. Howard,	Mr. Payne,
Mr. Cook,	Mr. J. Howard,	Mr. Sheldon,
Mr. Cooley,	Mr. Lacey,	Mr. Thompson,
Mr. Draper,	Mr. Lane,	Mr. Vickery,
Mr. Gidley,	Mr. Odell,	Mr. Williams, 15

The Chair announced a message from the Senate in the words following :

Mr. SPEAKER—In pursuance of the rules of the Senate, I herewith transmit a bill which has passed the Senate, entitled "A bill further to regulate the practice of courts of record in this state," and I also herewith return title eight of part third of the revision of the laws, with sundry amendments made thereto by the Senate, in which amendments and bill, the concurrence of the House of Representatives is respectfully requested.

The bill transmitted from the Senate, entitled as above, was taken up, read a first and second times and referred to the committee on the judiciary.

The title returned from the Senate, entitled as above, with amendments, was taken up and the amendments severally concurred in.

Said bill as amended then passed.

The Chair announced the following message from the Executive:

To the House of Representatives :

I have this day approved and filed in the office of the Secretary of State, the following act, viz : "An act to regulate the terms of the circuit court in the county of Lenawee."

STEVENS T. MASON.

April 3, 1838.

Mr. J. M. Howard, from the committee on enrolment, reported as correctly enrolled "An act to incorporate the village of Dearbornville," "An act to incorporate the Mottville and White Pigeon railroad company," "An act to provide a place for holding the circuit court for the county of Ottawa," "An act supplementary to an act authorizing the construction of a ship canal around the Falls of Ste. Marie," and "An act to incorporate the village of Grand Rapids."

The House then took up, as in committee of the whole, the bill entitled "A bill to incorporate the Bank of the state of Michigan."

Mr. J. M. Howard moved to amend by striking out in section seven, line one, the word "nine," and inserting "eight," also in line two of same section, strike out "five," and insert "four," which was decided, by yeas and nays, in the affirmative, as follows :

YEAS.

Mr. Butler,	Mr. J. Howard,	Mr. J. R. Smith,
Mr. Cook,	Mr. Lane,	Mr. Thompson,
Mr. Cooley,	Mr. McClelland,	Mr. Vickery,
Mr. Gidley,	Mr. Odell,	Mr. Wakefield,
Mr. Gantt,	Mr. Payne,	Mr. Wixom,
Mr. J. M. Howard,	Mr. Sheldon,	Mr. Williams,

NAYS.

Mr. Adams,	Mr. Decker,	Mr. Montgomery,
Mr. Ball,	Mr. Hotchkiss,	Mr. Poucher,
Mr. Buel,	Mr. Kent,	Mr. Risdon,
Mr. Beaufait,	Mr. Lacey,	Mr. H. Smith,
Mr. Buckbee,	Mr. Moran,	Mr. Wadhamns,
Mr. Dorsey,		

18

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The Chair announced the following message from the Senate :

Mr. SPEAKER—In pursuance of the rules of the Senate, I here-with return without amendment, chapter _____ of title six, of the revision of the laws, entitled “Of fees,” and bill entitled “A bill to organize the county of Ingham,” with an amendment, in which the concurrence of the House of Representatives is respectfully requested.

The bill to organize the county of Ingham, returned from the Senate with an amendment, was taken up, and the amendment concurred in.

Said bill as amended was then read a third time and passed.

On motion, the House adjourned.

Thursday, April 5.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Comstock.

The roll having been called, and

The proceedings of yesterday having been read,

Mr. Risdon presented a petition to organize a new township ; referred to the committee on towns and counties.

Mr. Risdon, from the committee on roads and bridges, to whom was referred the bill from the Senate, entitled “A bill to provide for a change of the Lapeer road, in the township of Orion, in Oakland county,” reported the same to the House without amendment.

Said bill was then laid on the table.

The Chair announced Mr. King as a member of the committee on enrolment, to fill the vacancy occasioned by the absence of Mr. Lancaster.

Mr. McClelland, from the committee on internal improvement, to which was referred the bill from the Senate, entitled “A bill to make certain appropriations for the improvement of the navigation of the river St. Joseph, and other rivers mentioned therein,” reported the same to the House without amendment ; said bill was then laid on the table.

Mr. Gantt offered the following resolution :

Resolved, That, if the Senate concur, the legislature adjourn on the sixth instant, and the immediate action of the Senate on this resolution be respectfully solicited.

Mr. Ball moved to lay said resolution on the table, which was decided, by yeas and nays, in the negative, as follows :

YEAS.

Mr. Ball,	Mr. Hotchkiss,	Mr. Poucher,
Mr. Bement,	Mr. Kent,	Mr. Risdon,
Mr. Buckbee,	Mr. King,	Mr. Spafford,

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NAYS.

Mr. Adams,	Mr. J. M. Howard,	Mr. Sheldon,
Mr. Burke,	Mr. J. Howard,	Mr. J. R. Smith,
Mr. Buel,	Mr. Lacey,	Mr. Thompson,
Mr. Butler,	Mr. Lane,	Mr. Vickery,
Mr. Champlin,	Mr. McClelland,	Mr. Wakefield,
Mr. Cooley,	Mr. Moran,	Mr. Wixom,
Mr. Doty,	Mr. Montgomery,	Mr. Williams,
Mr. Decker,	Mr. Odell,	Mr. Wadham,
Mr. Gidley,	Mr. Payne,	Mr. Speaker,
Mr. Gantt,		

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Mr. Spafford moved to amend by striking out "sixth instant," and inserting "ninth," in lieu thereof, which was decided, by yeas and nays, in the negative, as follows :

YEAS.

Mr. Ball,	Mr. Levake,	Mr. Poucher,
Mr. Beaufait,	Mr. Montgomery,	Mr. Risdon,
Mr. Buckbee,	Mr. Pray,	Mr. H. Smith,
Mr. King,	Mr. Payne,	Mr. Spafford,

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NAYS.

Mr. Adams,	Mr. Gidley,	Mr. Odell,
Mr. Burke,	Mr. Ganti,	Mr. Sheldon,
Mr. Bement,	Mr. J. M. Howard,	Mr. J. R. Smith,
Mr. Buel,	Mr. J. Howard,	Mr. Thompson,
Mr. Butler,	Mr. Hotchkiss,	Mr. Vickery,
Mr. Champlin,	Mr. Kent,	Mr. Wixom,
Mr. Cook,	Mr. Lacey,	Mr. Williams,
Mr. Cooley,	Mr. Lane,	Mr. Wadham,
Mr. Doty,	Mr. McClelland,	Mr. Speaker,
Mr. Decker,	Mr. Moran,	

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Said resolution then passed, by yeas and nays, as follows :

YEAS.

Mr. Adams,	Mr. Gidley,	Mr. Odell,
Mr. Burke,	Mr. Gantt,	Mr. Pray,
Mr. Bement,	Mr. J. M. Howard,	Mr. Sheldon,
Mr. Buel,	Mr. J. Howard,	Mr. J. R. Smith,
Mr. Butler,	Mr. Hotchkiss,	Mr. Thompson,
Mr. Champlin,	Mr. Lacey,	Mr. Vickery,
Mr. Cook,	Mr. Lane,	Mr. Wakefield,
Mr. Cooley,	Mr. McClelland,	Mr. Wixom,
Mr. Doty,	Mr. Moran,	Mr. Wadham,
Mr. Decker,	Mr. Montgomery	Mr. Speaker, 30

NAYS.

Mr. Ball,	Mr. King,	Mr. Risdon,
Mr. Beaufait,	Mr. Levake,	Mr. H. Smith,
Mr. Buckbee,	Mr. Payne,	Mr. Spafford,
Mr. Kent,	Mr. Poucher,	11

Mr. Wakefield gave notice that at some future day he should ask leave to introduce a bill authorizing the supervisors of Livingston county to loan an additional sum of money for the purpose of erecting county buildings.

The House then took up the bill from the Senate, entitled "A bill making appropriations in part for the year eighteen hundred and thirty-eight for the pay of officers and members of the legislature," together with sundry amendments made by the committee on ways and means, which were concurred in.

Said bill was then read a third time and passed.

Mr. Buel then moved a reconsideration of the vote taken yesterday upon the nomination of Hiram Alden, by which he was rejected as one of the commissioners on internal improvements, which was decided by yeas and nays, in the affirmative, as follows :

YEAS.

Mr. Adams,	Mr. Hotchkiss,	Mr. Pray,
Mr. Ball,	Mr. Kent,	Mr. Poucher,
Mr. Burke,	Mr. King,	Mr. Risdon,
Mr. Bement,	Mr. Lacey,	Mr. H. Smith,
Mr. Buel,	Mr. Lane,	Mr. Thompson,
Mr. Beaufait,	Mr. Levake,	Mr. Wakefield,

Mr. Doty,	Mr. McClelland,	Mr. Wixom,
Mr. Decker,	Mr. Montgomery,	Mr. Wadhamas,
Mr. Gantt,	Mr. Odell,	
NAYS.		
Mr. Butler,	Mr. Gidley,	Mr. Sheldon,
Mr. Buckbee,	Mr. J. M. Howard,	Mr. J. R. Smith,
Mr. Champlin,	Mr. J. Howard,	Mr. Vickery,
Mr. Cook,	Mr. Moran,	Mr. Williams,
Mr. Cooley,	Mr. Payne,	Mr. Speaker,
Mr. Draper,	Mr. Spafford,	

26

17

The question then being upon advising and consenting to the nomination, Mr. J. M. Howard moved to postpone the consideration of the subject indefinitely, which was decided by yeas and nays, in the negative, as follows :

		YEAS.
Mr. Buckbee,	Mr. J. M. Howard,	Mr. Spafford,
Mr. Champlin,	Mr. J. Howard,	Mr. Vickery,
Mr. Cook,	Mr. Payne,	Mr. Williams,
Mr. Cooley,	Mr. J. R. Smith,	
NAYS.		
Mr. Adams,	Mr. Hotchkiss,	Mr. Pray,
Mr. Ball,	Mr. Kent,	Mr. Poucher,
Mr. Burke,	Mr. King,	Mr. Risdon,
Mr. Bement,	Mr. Lacey,	Mr. H. Smith,
Mr. Buel,	Mr. Lane,	Mr. Sheldon,
Mr. Beaufait,	Mr. Levake,	Mr. Thompson,
Mr. Doty,	Mr. McClelland,	Mr. Wakefield,
Mr. Decker,	Mr. Moran,	Mr. Wixom,
Mr. Draper,	Mr. Montgomery,	Mr. Wadhamas,
Mr. Gantt,	Mr. Odell,	Mr. Speaker,

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30

Mr. J. M. Howard moved to lay the subject on the table, which did not prevail.

Mr. J. M. Howard moved to lay the whole subject on the table until Tuesday next, tenth instant, which did not prevail.

Mr. J. M. Howard moved a call of the House, which was not sustained.

The question recurring upon advising and consenting to the nomination of Hiram Alden of Branch, as one of the board of internal improvement, it was decided, by yeas and nays, in the affirmative, as follows :

YEAS.

Mr. Adams,	Mr. Gantt,	Mr. McClelland,
Mr. Ball,	Mr. Hotchkiss,	Mr. Montgomery,
Mr. Burke,	Mr. Kent,	Mr. Odell,
Mr. Bement,	Mr. King,	Mr. H. Smith,
Mr. Buel,	Mr. Lacey,	Mr. Wakefield,
Mr. Beaufait,	Mr. Lane,	Mr. Wixom,
Mr. Doty,	Mr. Levake,	Mr. Wadham,
Mr. Decker,		

22

NAYS.

Mr. Buckbee,	Mr. Moran,	Mr. Sheldon,
Mr. Champlin,	Mr. Pray,	Mr. J. R. Smith,
Mr. Cook,	Mr. Payne,	Mr. Thompson,
Mr. Cooley,	Mr. Poucher,	Mr. Vickery,
Mr. Gidley,	Mr. Risdon,	Mr. Williams,
Mr. J. M. Howard,	Mr. Spafford,	Mr. Speaker,
Mr. J. Howard,		

19

The House then took up the bill entitled "A bill to provide for the appointment of a board of commissioners of loans."

Mr. Cook moved to amend said bill by adding the following words to section five :

" And the said commissioners shall be individually liable to the people of this state for the amount of all such loans, in case the same shall not be reimbursed when they respectively become due, to be recovered before any court of competent jurisdiction ; and no such loan shall be made for a longer time than ninety days," which was decided, by yeas and nays, in the negative, as follows :

YEAS.

Mr. Ball,	Mr. Cooley,	Mr. Pray,
Mr. Buel,	Mr. Draper,	Mr. Poucher,
Mr. Beaufait,	Mr. Hotchkiss,	Mr. J. R. Smith,
Mr. Buckbee,	Mr. Lacey,	Mr. Vickery,
Mr. Cook,	Mr. Odell,	Mr. Williams,

15

NAYS.

Mr. Bement,	Mr. King,	Mr. Sheldon,
Mr. Decker,	Mr. McClelland,	Mr. Thompson,
Mr. Gidley,	Mr. Moran,	Mr. Wakefield,
Mr. Gantt,	Mr. Montgomery,	Mr. Wixom,
Mr. J. Howard,	Mr. Payne,	Mr. Wadham,
Mr. Kent,	Mr. Risdon,	Mr. Speaker,

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On motion of Mr. McClelland, said bill was laid on the table.

On motion of Mr. Gidley,

Resolved, That hereafter no member be permitted to speak more than three minutes on the same question, unless by the unanimous consent of the House.

The Chair announced a message from the Senate, in the words following :

Mr. SPEAKER—In pursuance of the rules of the Senate, I here-with transmit a bill which has passed the Senate, entitled “A bill to extend the time of payment of the university and school moneys, and for other purposes,” in which the concurrence of the House of Representatives is respectfully requested.

The bill from the Senate entitled as above, was then taken up, read a first and second times, and referred to the committee on the judiciary.

The Chair announced a message from the Senate in the words following :

Mr. SPEAKER—In pursuance of the rules of the Senate, I here-with return without amendment, the resolution relative to the adjournment of the legislature on the sixth instant.

The House then took up, as in committee of the whole, the bill “to provide for the creating a board of commissioners of loans.”

Mr. Moran moved to amend by striking out all after section five, to the word “and,” in line five, which was decided, by yeas and nays, in the negative, as follows:

YEAS.

Mr. Adams,	Mr. Cook,	Mr. Poucher,
Mr. Ball,	Mr. Lacey,	Mr. J. R. Smith,
Mr. Buel,	Mr. Moran,	Mr. Vickery,
Mr. Beaufait,	Mr. Odell,	Mr. Williams,
Mr. Buckbee,	Mr. Pray,	

14

NAYS.

Mr. Bement,	Mr. Hotchkiss,	Mr. H. Smith,
Mr. Butler,	Mr. Kent,	Mr. Spafford,
Mr. Doty,	Mr. King,	Mr. Thompson,
Mr. Decker,	Mr. Lane,	Mr. Wakefield,
Mr. Draper,	Mr. Montgomery,	Mr. Wixom,
Mr. Gantt,	Mr. Payne,	Mr. Wadham,
Mr. J. Howard,	Mr. Risdon,	Mr. Speaker,

21

Said bill was then ordered to be engrossed for a third reading.

The rule having been suspended, said bill was read a third time and passed.

The House then resolved itself into committee of the whole, Mr. Wadhams in the chair, upon the bill from the Senate, entitled "A bill to authorize the loan of a certain sum of money to the university of Michigan," and after some time spent therein, the committee rose, and through their chairman reported the same to the House without amendment.

Said bill was then ordered to a third reading.

Mr. Cook moved to lay said bill on the table, which did not prevail.

Mr. Cook moved a call of the House, which was not sustained.

Mr. Butler moved that the House adjourn, which did not prevail.

Said bill then passed, by yeas and nays, as follows :

YEAS.

Mr. Adams,	Mr. Gidley,	Mr. Risdon,
Mr. Ball,	Mr. Hotchkiss,	Mr. H. Smith,
Mr. Bement,	Mr. King,	Mr. Spafford,
Mr. Buel,	Mr. Montgomery,	Mr. Sheldon,
Mr. Buckbee,	Mr. Pray,	Mr. Wixom,
Mr. Champlin,	Mr. Payne,	Mr. Wadhams,
Mr. Doty,	Mr. Poucher,	Mr. Speaker, 21

NAYS.

Mr. Beaufait,	Mr. Kent,	Mr. Odell,
Mr. Butler,	Mr. Lacey,	Mr. J. R. Smith,
Mr. Cook,	Mr. Lane,	Mr. Thompson,
Mr. Decker,	Mr. McClelland,	Mr. Williams,
Mr. Draper,		

13

The House then took up the bill entitled "A bill to amend an act entitled 'An act to incorporate the village of Tecumseh,'" with an amendment made thereto by the Senate, which was concurred in.

Said bill as amended then passed.

The House then took up the bill to incorporate the village of Clinton, with sundry amendments made thereto by the Senate, which were severally concurred in.

Said bill as amended then passed.
On motion, the House adjourned.

AFTERNOON SESSION.

The House met pursuant to adjournment.

The roll having been called,

Mr. Bement, from the committee on banks and incorporations, to which was referred sundry petitions to amend the charter of the village of Ann Arbor, reported a bill entitled "A bill to amend an act entitled 'An act to incorporate the village of Ann Arbor,'" which was read the first and second times and laid on the table.

The House then took up the bill to extend the time for the construction and completion of the Detroit and Maumee railroad.

On motion of Mr. Buel, said bill was amended by adding the following to stand as section three : "the legislature may alter or amend this act, or the act to which this is amendatory, by a vote of two-thirds of each house."

Said bill as amended then passed.

The House then took up the bill from the Senate entitled "A bill to provide for the distribution and sale of the laws ;" the question being upon concurring in the amendment made thereto by the committee on printing, it was concurred in.

Said bill as amended then passed.

The Chair announced a message from the Senate, in the words following :

Mr. SPEAKER—In pursuance of the rules of the Senate, I here-with transmit a bill which has passed the Senate, entitled "A bill making appropriations for the year one thousand eight hundred and thirty-eight, to defray the current expenses of the government, and for other purposes," in which the concurrence of the House of Representatives is respectfully requested.

The bill from the Senate, entitled as above, was taken up, read a first and second times, and referred to the committee on printing.

The House then took up for consideration the bill entitled "A bill for the relief of the bank of Adrian."

On motion of Mr. Spafford, said bill was amended by adding the following : "And be it further enacted, that the Lenawee county

bank, at Palmyra, shall be entitled to the provisions of this act so as to reduce the capital stock thereof to fifty thousand dollars."

Said bill as amended then passed.

The bill from the Senate, entitled "A bill to authorize the administrators on the estate of Caius C. Robinson, late of the county of Lenawee and state of Michigan, deceased, to sell and convey certain real estate," was taken up, read the third time and passed.

The House then took up the bill entitled "A bill to amend an act entitled 'An act to regulate and define the powers of justices of the peace and constables in civil cases.'"

The question being upon concurring in the amendment made thereto by the Senate, it was decided in the affirmative.

Said bill as amended then passed, by yeas and nays, as follows :

YEAS.

Mr. Adams,	Mr. Gantt,	Mr. Poucher,
Mr. Ball,	Mr. Hotchkiss,	Mr. Risdon,
Mr. Burke,	Mr. Kent,	Mr. H. Smith,
Mr. Bement,	Mr. King,	Mr. J. R. Smith,
Mr. Buel,	Mr. Lacey,	Mr. Thompson,
Mr. Butler,	Mr. McClelland,	Mr. Wixom,
Mr. Dorsey,	Mr. Moran,	Mr. Wadham,
Mr. Doty,	Mr. Montgomery,	Mr. Speaker,
Mr. Decker,	Mr. Odell,	

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NAYS.

Mr. Cook,	Mr. Lane,	Mr. Sheldon,
Mr. Gidley,	Mr. Payne,	Mr. Vickery,
Mr. J. Howard,	Mr. Spafford,	Mr. Williams,

9

The House then took up the bill entitled "A bill to make certain appropriations for the improvement of the navigation of the river St. Joseph, and other rivers mentioned therein."

Mr. Buckbee moved the indefinite postponement of said bill, which was decided, by yeas and nays, as follows :

YEAS.

Mr. Ball,	Mr. Decker,	Mr. Pray,
Mr. Burke,	Mr. Hotchkiss,	Mr. Poucher,
Mr. Bement,	Mr. Kent,	Mr. Risdon,

Mr. Buel,
Mr. Buckbee,
Mr. Cooley,
Mr. Dorsey,
Mr. Doty,

Mr. King,
Mr. Lacey,
Mr. Lane,
Mr. Moran,
Mr. Odell,

Mr. Thompson,
Mr. Vickery,
Mr. Williams,
Mr. Speaker,

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NAYS.

Mr. Adams,
Mr. Champlin,
Mr. Cook,
Mr. Draper,
Mr. Gidley,
Mr. Gant,

Mr. J. Howard,
Mr. McClelland,
Mr. Montgomery,
Mr. H. Smith,
Mr. Spafford,

Mr. Sheldon,
Mr. J. R. Smith,
Mr. Wakefield,
Mr. Wixon,
Mr. Wadham,

16

The bill entitled "A bill to amend an act entitled 'An act to incorporate the Detroit and Shiawassee railroad company,'" was then taken up, read a third time and passed.

Mr. Gant, from the committee on enrolment, reported as correctly enrolled "An act to authorize Phineas Swarthout to convey a certain piece of land therein named."

The House then took up chapter of title seven, "Of limitations of actions," together with sundry amendments made thereto by the Senate, which were severally concurred in, and said bill as amended then passed.

The House then took up the bill from the Senate, entitled "A bill to provide for the sales of land for taxes, and the conveyance and redemption thereof, and for other purposes," which was read a third time and passed.

The Chair announced the following message from the Executive :

To the House of Representatives :

I have this day approved and filed in the office of the Secretary of State, the following acts, viz : "An act to incorporate the Medina and Canandaigua railroad company," "An act to incorporate the village of Grand Rapids," "An act supplementary to an act authorizing the construction of a ship canal around the Falls of Ste. Marie," An act to provide a place for holding the circuit court for the county of Ottawa," "An act to incorporate the village of Dearbornville," "An act to incorporate the Mottville and White Pigeon railroad company," "An act for the relief of John T. Fryatt," and "An act to provide for the more speedy adjust-

ment of damages consequent upon the location of the central railroad route, through the lands of Conrad Ten Eyck, and others."

STEVENS T. MASON.

April 5, 1838.

The Chair announced the following message from the Executive :

To the House of Representatives :

I have this day approved and filed in the office of the Secretary of State, the following acts, viz : "An act to change the location of the territorial road at the west end of the village of Kalamazoo," "An act to amend an act entitled 'An act to amend act to organize and regulate banking associations, and for other purposes,' and to suspend the operation of the same," "An act to incorporate the mechanical association of the city of Saginaw," "An act to incorporate the Ypsilanti and Tecumseh railroad company," "An act to incorporate the Gibraltar and Flat Rock company," "An act to incorporate the village of Kalamazoo," "An act for the apportionment of the members of the House of Representatives of this state, and for the arrangement of the Senate districts," "An act to incorporate the Clinton salt works company," and "A joint resolution with regard to the survey of a railroad route, &c."

STEVENS T. MASON.

April 3, 1838.

Mr. Cook, from the committee on claims, reported the following joint resolution, which was read a first and second times, and according to rule, laid on the table for one day.

Resolved by the Senate and House of Representatives, That the commissioners on internal improvements be requested to settle and pay John Flinn and others, for hogs and cattle killed by railroad cars ; also that they be requested to enquire into the extra and unforeseen damages sustained by John Flinn and William Clay, by embanking for railroad and overflowing their lands, and report to the next legislature.

The rule having been suspended, said resolution was read a third time and passed.

Mr. Cook, from the committee on claims, to whom was referred a petition from sundry inhabitants of the counties of Wayne,

Washtenaw, Livingston and Lenawee, reported the same to the House, and moved that it be transmitted to the board of internal improvement, which was decided in the affirmative.

The House then took up as in committee of the whole, the Bill entitled "A bill to incorporate the bank of the state of Michigan."

Mr. Buel moved to amend section seven, in lines one and two, strike out "eight directors," and in line two, strike out "four," where it first occurs, and insert "five directors," which was decided by yeas and nays, in the affirmative, as follows :

YEAS.

Mr. Adams,	Mr. Doty,	Mr. Montgomery,
Mr. Ball,	Mr. Decker,	Mr. Pray,
Mr. Bement,	Mr. Hotchkiss,	Mr. Poucher,
Mr. Buel,	Mr. Kent,	Mr. Risdon,
Mr. Buckbee,	Mr. King,	Mr. H. Smith,
Mr. Cooley,	Mr. Lacey,	Mr. Spafford,
Mr. Dorsey,	Mr. Moran,	Mr. Wadhams, 21

NAYS.

Mr. Burke,	Mr. J. Howard,	Mr. Thompson,
Mr. Butler,	Mr. Lane,	Mr. Vickery,
Mr. Cook,	Mr. Odell,	Mr. Wakefield,
Mr. Draper,	Mr. Payne,	Mr. Wixom,
Mr. Gidley,	Mr. Sheldon,	Mr. Williams,
Mr. Gantt,	Mr. J. R. Smith,	Mr. Speaker, 18

Mr. Payne moved to strike out all after the enacting clause, which was decided by yeas and nays, in the negative, as follows :

YEAS.

Mr. Bement,	Mr. Draper,	Mr. Wixom,
Mr. Butler,	Mr. Gantt,	Mr. Williams,
Mr. Cook,	Mr. J. Howard,	Mr. Speaker,
Mr. Decker,	Mr. J. R. Smith,	11

NAYS.

Mr. Adams,	Mr. King,	Mr. Risdon,
Mr. Ball,	Mr. Lacey,	Mr. H. Smith,
Mr. Buel,	Mr. Lane,	Mr. Spafford,
Mr. Buckbee,	Mr. Montgomery,	Mr. Sheldon,
Mr. Cooley,	Mr. Odell,	Mr. Thompson,
Mr. Doty,	Mr. Pray,	Mr. Vickery,
Mr. Gidley,	Mr. Payne,	Mr. Wakefield,

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Mr. Hotchkiss,	Mr. Poucher,	Mr. Wadham,
Mr. Kent,		26

Mr. Butler moved to amend line two, section seven, by striking out the word "four," and inserting "five," which was decided by yeas and nays, in the negative, as follows:

YEAS.

Mr. Butler,	Mr. J. Howard,	Mr. Vickery,
Mr. Cook,	Mr. Lane,	Mr. Wakefield,
Mr. Draper,	Mr. Odell,	Mr. Wixom,
Mr. Goodman,	Mr. Sheldon,	Mr. Williams,
Mr. Gidley,	Mr. J. R. Smith,	Mr. Speaker, 15

NAYS.

Mr. Adams,	Mr. Hotchkiss,	Mr. Payne,
Mr. Ball,	Mr. Kent,	Mr. Poucher,
Mr. Bement,	Mr. King,	Mr. Risdon,
Mr. Buel,	Mr. Lacey,	Mr. H. Smith,
Mr. Buckbee,	Mr. Moran,	Mr. Spafford,
Mr. Cooley,	Mr. Montgomery,	Mr. Thompson,
Mr. Doty,	Mr. Pray,	Mr. Wadham,
Mr. Gant,		22

Mr. Risdon called for the previous question, when the question being "shall the main question be now put," it was decided in the affirmative.

The question being upon the final passage of said bill, it being a two-third bill, it was decided by yeas and nays, in the negative, as follows:

YEAS.

Mr. Adams,	Mr. Kent,	Mr. Poucher,
Mr. Burke,	Mr. King,	Mr. Risdon,
Mr. Buel,	Mr. Lacey,	Mr. H. Smith,
Mr. Buckbee,	Mr. Lane,	Mr. Spafford,
Mr. Cooley,	Mr. Moran,	Mr. Sheldon,
Mr. Doty,	Mr. Montgomery,	Mr. Thompson,
Mr. Gidley,	Mr. Pray,	Mr. Wadham,
Mr. Hotchkiss,	Mr. Payne,	23

NAYS.

Mr. Ball,	Mr. Goodman,	Mr. Vickery,
Mr. Bement,	Mr. Gant,	Mr. Wakefield,
Mr. Butler,	Mr. J. Howard,	Mr. Wixom,
Mr. Cook,	Mr. McClelland,	Mr. Williams,
Mr. Decker,	Mr. Odell,	Mr. Speaker,
Mr. Draper,	Mr. J. R. Smith,	17

Mr. Gantt, from the committee on enrolment, reported as correctly enrolled "An act to amend an act entitled 'An act to incorporate the village of Tecumseh.'"

The House then took up the joint resolution from the Senate, entitled "A resolution proposing certain amendments to the constitution of the state."

Mr. McClelland moved to lay said resolution on the table, which was decided in the affirmative.

Mr. Buel, from the committee on the judiciary, to whom was referred the bill entitled "A bill to provide for the extension of the time for the payment of the university and school moneys and for other purposes," reported the same to the House without amendment; said bill was then taken up for consideration, when, the rule having been suspended, said bill was read a third time and passed.

The House then took up a bill from the Senate, "to provide for a change of the Lapeer road in the township of Orion in Oakland county," which was read the third time and passed.

The House then took up a bill from the Senate entitled "A bill to incorporate the Detroit house carpenter and joiners' mutual benefit society," which was read the third time and passed, by yeas and nays, as follows:

YEAS.

Mr. Adams,	Mr. Gantt,	Mr. Poucher,
Mr. Burke,	Mr. J. Howard,	Mr. Risdon,
Mr. Buel,	Mr. Hotchkiss,	Mr. Spafford,
Mr. Butler,	Mr. King,	Mr. Sheldon,
Mr. Champlin,	Mr. Lacey,	Mr. Thompson,
Mr. Cook,	Mr. Lane,	Mr. Wakefield,
Mr. Decker,	Mr. McClelland,	Mr. Wixom,
Mr. Draper,	Mr. Moran,	Mr. Williams,
Mr. Goodman,	Mr. Montgomery,	Mr. Wadham,
Mr. Gidley,		

28

NAYS.

Mr. Buckbee,	Mr. Pray,	Mr. Speaker,
Mr. Odell,	Mr. Payne,	

5

The Chair announced a message from the Executive in the words following:

To the House of Representatives:

I have this day approved and filed in the office of the Secretary of State, the following acts, viz: "An act to organize the county of Ingham;" "An act to amend an act entitled 'An act to incorporate the village of Niles,' and the act or acts amendatory thereof;" "An act to amend an act entitled 'An act to incorporate the village of Tecumseh;'" "An act to authorize Phineas Swarthout, a minor, to convey certain pieces of land therein named."

STEVENS T MASON.

April 5, 1838.

The House then took up the bill entitled "A bill authorizing the supervisors of the county of Livingston, to borrow a certain sum of money," and the question being upon ordering said bill to a third reading, it was decided by yeas and nays, in the negative, as follows :

YEAS.

Mr. Buckbee,	Mr. Moran,	Mr. Risdon,
Mr. Hotchkiss,	Mr. Montgomery,	Mr. H. Smith,
Mr. Kent,	Mr. Pray,	Mr. Wakefield,
Mr. McClelland,		

10

NAYS.

Mr. Adams,	Mr. Draper,	Mr. Poucher,
Mr. Burke,	Mr. Goodman,	Mr. Spafford,
Mr. Bement,	Mr. Gidley,	Mr. Sheldon,
Mr. Beaufait,	Mr. J. Howard,	Mr. J. R. Smith,
Mr. Butler,	Mr. King,	Mr. Thompson,
Mr. Champlin,	Mr. Lacey,	Mr. Williams,
Mr. Cook,	Mr. Lane,	Mr. Wadham,
Mr. Doty,	Mr. Odell,	Mr. Speaker,
Mr. Decker,	Mr. Payne,	

26

The House took up the bill entitled "A bill making judgments liens on real estate," together with sundry amendments made thereto by the committee on the judiciary, which were severally concurred in.

The rule having been suspended, said bill was read a third time and passed, by yeas and nays, as follows :

YEAS.

Mr. Adams,	Mr. Dorsey,	Mr. Odell,
Mr. Ball,	Mr. Doty,	Mr. Pray,
Mr. Burke,	Mr. Goodman,	Mr. Poucher,
Mr. Bement,	Mr. Kent,	Mr. Risdon,
Mr. Beaufait,	Mr. Lacey,	Mr. Sheldon,
Mr. Butler,	Mr. Lane,	Mr. Thompson,
Mr. Buckbee,	Mr. McClelland,	Mr. Wixom,
Mr. Cook,	Mr. Montgomery,	Mr. Speaker, 24

NAYS.

Mr. Draper,	Mr. Hotchkiss,	Mr. Wakefield,
Mr. Gidley,	Mr. Moran,	Mr. Williams,
Mr. Gantt,	Mr. Spafford,	Mr. Wadham,
Mr. J. Howard,	Mr. J. R. Smith,	11

Mr. Butler gave notice that he should on some future day ask leave to bring in a bill to legalize the township election in the town of Orange, for the year eighteen hundred and thirty-eight.

The House then took up the bill entitled "A bill to amend an act to incorporate the village of Ann Arbor."

On motion of Mr. Bement, the second section of said bill was stricken out.

Said bill as amended then passed.

The House then took up a portion of the revised code, entitled "Of costs and fees of officers," together with sundry amendments made thereto by the Senate, which were severally concurred in.

Said bill as amended then passed.

The Chair announced a message from the Senate, in the words following :

Mr. SPEAKER—In pursuance of the rules of the Senate, I here-with transmit a bill entitled "A bill requiring certain money to be repaid into the state treasury," and a resolution entitled "A joint resolution authorizing a correspondence between the Governor of the state of Michigan and the Governor of the state of Indiana, in respect to the improvement of the navigation of the river St. Joseph," which have severally passed the Senate, and in which the concurrence of the House of Representatives is respectfully requested.

The bill from the Senate, entitled "A bill requiring certain moneys to be repaid into the state treasury," was taken up, read a first and second times, when the rule having been suspended, said bill was read a third time and passed.

The joint resolution transmitted from the Senate, entitled as above, was taken up, read a first and second times and laid on the table.

The House then took up the bill from the Senate relative to supervisors, and the question being upon concurring in the amendment of the Senate to the amendment of the House, it was concurred in.

Said bill as amended then passed.

The bill from the Senate, entitled "A bill to provide for proceedings in chancery in certain cases," was taken up, read a third time and passed.

The bill from the Senate, entitled "A bill to provide for the adjustment of claims, on the division of townships," was taken up, read a third time and passed.

The bill from the Senate, entitled "A bill providing for the recording of the laws, and for other purposes," was taken up, read a third time and passed.

The Chair announced a communication from the Hon. J. Burdick, president of the board of internal improvement, in relation to a claim of B. C. Cox, which having been read, was laid on the table.

The bill from the Senate, entitled "A bill concerning the extension of Fort street, in the county of Wayne," was taken up, read a third time and passed, by yeas and nays, as follows:

YEAS.

Mr. Adams,	Mr. Doty,	Mr. Moran,
Mr. Ball,	Mr. Decker,	Mr. Odell,
Mr. Buel,	Mr. Goodman,	Mr. Poucher,
Mr. Beaufait,	Mr. Gantt,	Mr. Sheldon,
Mr. Butler,	Mr. Lacey,	Mr. J. R. Smith,
Mr. Buckbee,	Mr. Lane,	Mr. Williams,
Mr. Dorsey,	Mr. McClelland,	Mr. Speaker, 21

NAYS.

Mr. Burke,	Mr. Kent,	Mr. Risdon,
Mr. Cook,	Mr. King,	Mr. H. Smith,
Mr. Draper,	Mr. Montgomery,	Mr. Spafford,
Mr. J. Howard,	Mr. Pray,	Mr. Thompson,
Mr. Hotchkiss,	Mr. Payne,	Mr. Wixom,

15

The bill from the Senate, entitled "A bill supplementary to an act entitled 'An act to amend an act entitled 'An act to organize and regulate banking associations,' and for other purposes,'" was taken up for consideration.

On motion of Mr. McClelland, said bill was laid on the table.

Mr. Moran, from the committee on ways and means, to which was referred a bill from the Senate entitled "A bill making appropriations for the year eighteen hundred and thirty-eight, to defray the current expenses of the government, and for other purposes," reported the same to the House with sundry amendments, which were laid on the table.

Mr. Butler, from the committee on expiring laws, to which was referred a bill entitled "A bill to repeal the acts consolidated in the revised statutes," reported the same to the House with sundry amendments, which were concurred in.

Said bill as amended then passed.

Mr. Butler offered the following joint resolution, which was read the first and second times, and laid on the table according to rule, for one day :

Resolved by the Senate and House of Representatives, of the State of Michigan, That the Secretary of State be and he is hereby required to procure, so soon as the same shall be published and bound, and forward to each member of the present legislature, a complete copy of the revised statutes of the state of Michigan.

The rule having been suspended, said resolution was read the third time and passed.

On motion, the House adjourned.

Friday, April 6, 1838.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Comstock,

On motion of Mr. Gantt, the reading of the journal was dispensed with for this morning.

On motion of Mr. Bement,

Resolved, That the thanks of this House be tendered the Rt. Rev. Bishop McCoskry, the Rev. Mr. Berry, the Rev. Mr. Hoyt, the Rev. Mr. Thompson and the Rev. Dr. Comstock for their services as chaplains of the House during this session.

The House then, on motion of Mr. Adams, took up the joint resolution from the Senate, in relation to expending certain moneys on the western end of the southern and central railroads of this state.

Mr. Odell moved that the consideration of said resolution be indefinitely postponed, which was decided by yeas and nays, in the affirmative, as follows :

YEAS.

Mr. Burke,	Mr. Draper,	Mr. Moran,
Mr. Bement,	Mr. Goodman,	Mr. Montgomery,
Mr. Beaufait,	Mr. Gidley,	Mr. Odell,
Mr. Butler,	Mr. J. M. Howard,	Mr. Pray,
Mr. Cook,	Mr. Kent,	Mr. Sheldon,
Mr. Charter,	Mr. King,	Mr. J. R. Smith,
Mr. Dorsey,	Mr. Lacey,	Mr. Vickery,
Mr. Doty,	Mr. Lane,	Mr. Wadhamns, 24

NAYS.

Mr. Adams,	Mr. Levake,	Mr. Spafford,
Mr. Ball,	Mr. Hotchkiss,	Mr. Thompson,
Mr. Buckbee,	Mr. McClelland,	Mr. Wakefield,
Mr. Decker,	Mr. Poucher,	Mr. Wixom,
Mr. J. Howard,	Mr. Risdon,	Mr. Speaker, 15

The Chair announced a message from the Senate in the words following :

Mr. SPEAKER—In pursuance of the rules of the Senate, I here-with return, without amendment “A joint resolution to authorize the board of internal improvement to contract for a certain quantity of iron.”

Mr. Butler, according to notice given and leave granted, introduced “A bill to legalize the election of township officers in the

township of Orange," which was read a first and second times, and the rule having been suspended, read a third time and passed.

The Chair announced a communication from B. C. Cox, which having been read, was laid on the table.

Mr. McClelland asked and obtained leave, and thereupon introduced a bill entitled "A bill to amend an act entitled 'An act to incorporate the city of Monroe,'" which was read a first and second times, and the rule having been suspended, was read a third time and passed.

Mr. J. M. Howard offered the following joint resolution, which was read a first and second times, and the rule having been suspended, was taken up, read the third time and passed.

Resolved by the Senate and House of Representatives. That all further operations on the Clinton and Kalamazoo canal be, and its further location by the board of commissioners of internal improvements be dispensed with until the board appointed at the present session of the legislature shall have qualified and taken the necessary oath of office: and that said board be and they are hereby directed, when so qualified to cause such other and new survey to be made by some competent engineer on the route, as said board may think fit.

Mr. J. M. Howard, from the committee on enrolment, reported as correctly enrolled, "An act to extend the powers of justices of the peace, and for other purposes," and "A resolution in regard to the board of internal improvement."

Mr. Buckbee called up the resolution by him submitted, in relation to reducing the tolls on the central railroad.

Mr. Gidley offered the following as a substitute.

Resolved. That the board of internal improvement be instructed to so reduce the rate of tolls from time to time on the railroad between Detroit and Ypsilanti that the nett profits to the state shall at no time exceed ten per cent.

On motion of Mr. Levake, said resolution and substitute was laid on the table.

The House then resolved itself into a committee of the whole. Mr. Hotchkiss in the chair, upon the bill from the Senate, entitled "A bill making appropriations in part for the year eighteen hundred and thirty-eight, to defray the expenses of government and for other purposes," and after some time spent thereon, the com-

committee rose, and through their chairman reported the same to the House with sundry amendments, which were concurred in.

The Chair announced a message from the Executive in the words following :

To the House of Representatives :

I have this day approved and filed in the Secretary of State's office, the following acts, viz : "An act to provide for the sales of land for taxes and the conveyance and redemption thereof, and for other purposes ;" "An act to authorize a loan of a certain sum of money to the university of Michigan ;" "An act making appropriations in part for the year one thousand eight hundred and thirty-eight for the pay of officers and members of the legislature ;" "An act providing for the recording of the laws and for other purposes ;" "An act to authorize the administrators of Caius C. Robinson, late of the county of Lenawee and state of Michigan, deceased, to sell and convey certain real estate."

STEVENS T. MASON,

April 6, 1838.

To the House of Representatives :

I have this day approved and filed in the office of the Secretary of State, the following act and resolution, viz : "An act to extend the powers of justices of the peace, and for other purposes," and "joint resolution with regard to the board of internal improvement."

STEVENS T. MASON.

April 6, 1838.

On motion, the House adjourned.

AFTERNOON SESSION.

The House met pursuant to adjournment.

The roll having been called,

Mr. Buel offered the following joint resolution, which was read a first and second times, and according to rule, laid on the table for one day.

Resolved by the Senate and House of Representatives, That the commissioners of internal improvement be, and they are hereby authorized, with the consent of the common council of the city of Detroit, to extend the track of the central railroad from its present termination, down Woodward avenue to its intersection

with Atwater street, and thence each way along said Atwater street as far as said commissioners shall deem best for the public good; provided the expense does not exceed five thousand dollars.

The rule having been suspended, said resolution was read a third time and passed, by yeas and nays, as follows:

YEAS.

Mr. Adams,	Mr. J. Howard,	Mr. Poucker,
Mr. Ball,	Mr. Hotchkiss,	Mr. Risdon,
Mr. Buel,	Mr. Kent,	Mr. Spafford,
Mr. Beaufait,	Mr. King,	Mr. Sheldon,
Mr. Butler,	Mr. Lacey,	Mr. J. R. Smith,
Mr. Buckbee,	Mr. Lane,	Mr. Thompson,
Mr. Champlin,	Mr. McClelland,	Mr. Wakefield,
Mr. Cooley,	Mr. Moran,	Mr. Williams,
Mr. Dorsey,	Mr. Odell,	Mr. Wadhams,
Mr. Doty,	Mr. Pray,	Mr. Speaker,
Mr. Goodman,	Mr. Payne,	

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NAYS.

Mr. Charter,	Mr. Gantt,	Mr. H. Smith;
Mr. Decker,		

4

Mr. Risdon offered the following joint resolution, which was read a first and second times, and according to rule, laid on the table for one day.

Resolved by the Senate and House of Representatives of the State of Michigan, That the postmaster general be, and he is hereby respectfully requested to direct the mails for Michigan to be sent by steamboat to the city of Detroit, for distribution, during the season of navigation.

Resolved, That a copy of this resolution be transmitted to the postmaster general, and to each of our senators and representative in congress.

The rule having been suspended, said resolution was read a third time and passed.

Mr. J. M. Howard offered the following joint resolution, which was read a first and second time, and according to rule, laid on the table for one day.

Resolved by the Senate and House of Representatives, That the bank commissioners be, and they are hereby authorized and required to publish in the state paper, all facts exhibiting fraudulent or illegal conduct in the management of any of the banking associations or corporations in this state, and that such publication be

made without delay whenever and so soon as such facts are fully and correctly ascertained by said commissioners, or either of them.

The rule having been suspended, said resolution was read a third time and passed.

Mr. McClelland offered the following preamble and joint resolution, which was read the first and second times, and the rule having been suspended, was read a third time and passed.

Whereas, it seems manifestly intended by the articles of compact contained in the ordinance of congress of 1787, that any state or states thereafter to be erected north of a due east and west line to be run from the southern extreme of Lake Michigan, should be bounded south by said east and west line :

Whereas, the people of Michigan have heretofore, and from the period of the first organization, by the United States, of the late territorial government of Michigan, uniformly understood and believed that any new state which might be so erected south of said line should of right be bounded southerly thereby, unless by mutual assent said articles of compact should be varied and a new and a substituted south boundary be adopted :

Whereas, the congress of the United States did, by an act entitled " An act to establish the northern boundary line of Ohio, and to provide for the admission of Michigan into the Union upon the conditions therein expressed," passed on the fifteenth day of June, 1836, and by other subsequent legislative action, purport, without the consent, and against the wishes of the people of Michigan, and contrary to the provisions of the constitution of this state, to establish a different southern boundary, whereby, if it be permanently established, great injury will be inflicted upon the best interests of this state :

Whereas, it has been considered doubtful whether the claim of this state that the southern boundary should be extended to said line, partake so far of a judicial character, as that it may be made the subject of decision by the supreme court of the United States, or whether it rested so entirely upon grounds merely political as that it would properly be the subject of legislative determination only :

Resolved by the Senate and House of Representatives of the

State of Michigan, That the Attorney General of this state be, and he is hereby authorized and requested to communicate with and obtain from three of the most distinguished jurists of the United States, their respective opinions touching the legal right of this state to the tract of land on our southern border, commonly called the disputed ground, and the best mode of prosecuting the claim of this state thereto ; and further, that he make report of the same to the next legislature.

The Chair announced the following message from the Executive, through C. C. Jackson, Esq. his private secretary :

Mr. SPEAKER—I am instructed by the Governor of the state, to inform the House of Representatives that should the two houses deem it necessary, and whenever they find it convenient to meet in joint assembly, he will nominate commissioners under “An act to provide for the more speedy adjustment of damages consequent upon the location of the central railroad through the lands of Conrad Ten Eyck, and others.”

The House then resumed, as in committee of the whole, the consideration of the bill entitled “A bill making appropriations in part, for the year 1838, to defray the current expenses of the government, and for other purposes.”

Mr. McClelland moved to strike out that part of said bill which appropriates certain moneys to the Lieutenant Governor for services as acting Governor, which was decided by yeas and nays, in the negative, as follows :

YEAS.

Mr. Burke,	Mr. Goodman,	Mr. Montgomery,
Mr. Cooley,	Mr. Gantt,	Mr. Odell,
Mr. Charter,	Mr. J. Howard,	Mr. Sheldon,
Mr. Dorsey,	Mr. Lane,	Mr. J. R. Smith,
Mr. Decker,	Mr. McClelland,	Mr. Thompson,
Mr. Draper,	Mr. Moran,	Mr. Vickery,

18

NAYS.

Mr. Adams,	Mr. Doty,	Mr. Poucher,
Mr. Ball,	Mr. Gidley,	Mr. Risdon,
Mr. Bement,	Mr. Hotchkiss,	Mr. Wakefield,
Mr. Buel,	Mr. Kent,	Mr. Wixom,
Mr. Beaufait,	Mr. Lacey,	Mr. Wadham,
Mr. Bowman,	Mr. Pray,	Mr. Speaker,
Mr. Champlin,	Mr. Payne,	

20

Mr. Wixom moved to amend the amendment of the committee on claims, which appropriates to George L. Whitney certain money for newspapers furnished the last legislature, by striking the same out, which was decided, by yeas and nays, in the negative, as follows:

YEAS.

Mr. Adams,	Mr. Doty,	Mr. H. Smith,
Mr. Ball,	Mr. Draper,	Mr. Wakefield,
Mr. Beaufait,	Mr. Kent,	Mr. Wixom,
Mr. Buckbee,	Mr. Moran,	Mr. Wadham,
Mr. Charter,	Mr. Poucher,	Mr. Speaker,
Mr. Dorsey,		

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NAYS.

Mr. Burke,	Mr. Gantt,	Mr. Montgomery,
Mr. Bement,	Mr. J. Howard,	Mr. Odell,
Mr. Buel,	Mr. Hotchkiss,	Mr. Risdon,
Mr. Champlin,	Mr. King,	Mr. Spafford,
Mr. Cooley,	Mr. Lacey,	Mr. Sheldon,
Mr. Decker,	Mr. Lane,	Mr. J. R. Smith,
Mr. Goodman,	Mr. Levake,	Mr. Thompson,
Mr. Gidley,	Mr. McClelland,	Mr. Vickery,

24

Mr. Cook moved to amend the amendment of the committee on claims, by inserting "fifty dollars," as the appropriation to John Gibson, which was decided in the negative, by yeas and nays, as follows:

YEAS.

Mr. Burke,	Mr. J. M. Howard,	Mr. Moran,
Mr. Buel,	Mr. J. Howard,	Mr. Payne,
Mr. Cook,	Mr. King,	Mr. Sheldon,
Mr. Goodman,	Mr. Levake,	Mr. J. R. Smith,

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NAYS.

Mr. Adams,	Mr. Gantt,	Mr. H. Smith,
Mr. Bement,	Mr. Kent,	Mr. Spafford,
Mr. Beaufait,	Mr. Lacey,	Mr. Thompson,
Mr. Buckbee,	Mr. Lane,	Mr. Vickery,
Mr. Cooley,	Mr. McClelland,	Mr. Wakefield,
Mr. Doty,	Mr. Montgomery,	Mr. Wixom,
Mr. Decker,	Mr. Poucher,	Mr. Wadham,
Mr. Draper,	Mr. Risdon,	Mr. Speaker,

24

Mr. J. M. Howard moved to amend said bill, by adding the following after the word "salary," in section one, "deducting that portion of it which accrued during his absence in negotiating the loan," which was decided, by yeas and nays, as follows:

YEAS.

Mr. Draper,
Mr. Goodman,
Mr. Gantt,

Mr. J. M. Howard,
Mr. J. Howard,
Mr. Odell,

Mr. Sheldon,
Mr. J. R. Smith,
Mr. Vickery,

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NAYS.

Mr. Adams,
Mr. Ball,
Mr. Burke,
Mr. Bement,
Mr. Buel,
Mr. Beaufait,
Mr. Buckbee,
Mr. Doty,
Mr. Decker,

Mr. Kent,
Mr. King,
Mr. Lacey,
Mr. Lane,
Mr. Levake,
Mr. McClelland,
Mr. Moran,
Mr. Montgomery,
Mr. Payne,

Mr. Poucher,
Mr. Risdon,
Mr. H. Smith,
Mr. Spafford,
Mr. Thompson,
Mr. Wakefield,
Mr. Wixom,
Mr. Wadham,
Mr. Speaker,

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Said bill as amended then passed.

Mr. McClelland moved that a committee of two be appointed to wait upon the Hon. the Senate, and inform them that the House was ready to go into joint convention, for the purpose of receiving nominations for commissioners to appraise the damages consequent upon the location of the central railroad route, which was decided in the affirmative.

Whereupon the Chair announced Messrs. McClelland and Henry Smith, as said committee,

Mr. J. M. Howard moved a reconsideration of the vote upon the passage of the bill entitled "A bill concerning the extension of Fort street in the county of Wayne," which was decided, by yeas and nays, in the affirmative, as follows:

YEAS.

Mr. Burke,
Mr. Buel,
Mr. Cook,
Mr. Cooley,
Mr. Draper,
Mr. Goodman,
Mr. J. M. Howard,

Mr. J. Howard,
Mr. Hotchkiss,
Mr. Kent,
Mr. King,
Mr. Lacey,
Mr. McClelland,
Mr. Montgomery,

Mr. Payne,
Mr. Risdon,
Mr. H. Smith,
Mr. Sheldon,
Mr. J. R. Smith,
Mr. Vickery,

20

NAYS.

Mr. Adams,	Mr. Decker,	Mr. Thompson,
Mr. Ball,	Mr. Gantt,	Mr. Wakefield,
Mr. Bement,	Mr. Levake,	Mr. Wixom,
Mr. Beaufait,	Mr. Moran,	Mr. Williams,
Mr. Butler,	Mr. Odell,	Mr. Wadham,
Mr. Charter,	Mr. Poucher,	Mr. Speaker, 18

Mr. J. M. Howard then moved that the reconsideration of said bill be indefinitely postponed, which was decided in the affirmative, by yeas and nays, as follows :

YEAS.

Mr. Burke,	Mr. J. Howard,	Mr. Risdon,
Mr. Bement,	Mr. Hotchkiss,	Mr. H. Smith,
Mr. Champlin,	Mr. Kent,	Mr. Spafford,
Mr. Cook,	Mr. King,	Mr. Sheldon,
Mr. Cooley,	Mr. Lacey,	Mr. J. R. Smith,
Mr. Draper,	Mr. McClelland,	Mr. Thompson,
Mr. Goodman,	Mr. Montgomery,	Mr. Vickery,
Mr. J. M. Howard,	Mr. Payne,	Mr. Wadham, 24

NAYS.

Mr. Adams,	Mr. Decker,	Mr. Poucher,
Mr. Ball,	Mr. Gantt,	Mr. Wakefield,
Mr. Beaufait,	Mr. Levake,	Mr. Wixom,
Mr. Butler,	Mr. Moran,	Mr. Williams,
Mr. Buckbee,	Mr. Odell,	Mr. Speaker, 15

The Chair announced a message from the Senate, in the words following :

Mr. SPEAKER—In pursuance of the rules of the Senate, I herewith transmit a bill, which has passed the Senate entitled “A bill to provide for the payment of certain claims therein named,” and “A resolution relative to the printing of the journals of the legislature,” and “A resolution relative to the publication of the laws of the present session,” in which the concurrence of the House of Representatives is respectfully requested : I also herewith return, with sundry amendments made thereto by the Senate, the bill entitled “A bill authorizing a loan of one hundred thousand dollars for the relief of the Allegan and Marshall railroad company,” in

which amendments the concurrence of the House of Representatives is respectfully requested.

The bill from the Senate entitled as above, was taken up, read a first and second times and laid on the table.

The several resolutions transmitted from the Senate, entitled as above, were taken up, and severally read a first and second times, when, the rule having been suspended, said resolutions were read a third time and passed.

The bill returned from the Senate, entitled "A bill authorizing a loan of one hundred thousand dollars, for the relief of the Allegan and Marshall railroad company," together with the amendments made thereto by the Senate, was laid on the table.

The bill entitled "A bill to authorize the supervisors of the county of Kalamazoo to borrow a certain sum of money," was taken up, read a third time and passed.

The bill entitled "A bill supplementary to an act entitled 'An act to amend an act entitled an act to organize and regulate banking associations,' and for other purposes," was taken up, read a third time and passed, by yeas and nays, as follows :

YEAS.

Mr. Adams,	Mr. King,	Mr. Thompson,
Mr. Ball,	Mr. Lacey,	Mr. Vickery,
Mr. Beaufait,	Mr. McClelland,	Mr. Wakefield,
Mr. Cook,	Mr. Montgomery,	Mr. Wixom,
Mr. Charter,	Mr. H. Smith,	Mr. Wadham,
Mr. Goodman,	Mr. J. R. Smith	Mr. Speaker,
Mr. J. M. Howard,		

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NAYS.

Mr. Burke,	Mr. Decker,	Mr. Levake,
Mr. Buel,	Mr. Gantt,	Mr. Payne,
Mr. Butler,	Mr. J. Howard,	Mr. Poucher,
Mr. Buckbee,	Mr. Hotchkiss,	Mr. Risdon,
Mr. Champlin,	Mr. Kent,	Mr. Spafford,
Mr. Dorsey,	Mr. Lane,	

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The House then took up the bill transmitted from the Senate, entitled "A bill authorizing a loan of one hundred thousand dollars for the relief the Allegan and Marshall railroad company," with

sundry amendments made thereto by the Senate, when the amendments were severally concurred in.

Said bill as amended then passed, by yeas and nays, as follows:

YEAS.

Mr. Adams,	Mr. Dorsey,	Mr. Payne,
Mr. Ball,	Mr. Goodman,	Mr. Risdon,
Mr. Bement,	Mr. Gant,	Mr. Spafford,
Mr. Buel,	Mr. Hotchkiss,	Mr. J. R. Smith,
Mr. Beaufait,	Mr. King,	Mr. Vickery,
Mr. Buckbee,	Mr. Levake,	Mr. Wakefield,
Mr. Champlin,	Mr. Montgomery,	Mr. Williams,
Mr. Cooley,		

22

NAYS.

Mr. Butler,	Mr. Lacey,	Mr. Sheldon,
Mr. Charter,	Mr. Lane,	Mr. Thompson,
Mr. J. M. Howard,	Mr. McClelland,	Mr. Wixom,
Mr. J. Howard,	Mr. Moran,	Mr. Wadham,
Mr. Kent,	Mr. Odell,	Mr. Speaker,

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On motion, the House adjourned until seven o'clock P. M.

EVENING SESSION.

The roll having been called,

The House took up as in committee of the whole, a bill from the Senate, entitled "A bill to provide for the payment of certain claims therein named," and after some time spent in the consideration of the same, the rule was suspended and said bill was read a third time and passed.

The Chair announced a message from the Senate, in the words following :

Mr. SPEAKER—In pursuance of the rules of the Senate, I herewith return without amendment, the bill entitled "A bill authorizing a loan of a sum not exceeding one hundred thousand dollars, for the benefit of the Ypsilanti and Tecumseh railroad company," and with amendments made thereto by the Senate, the "resolution relative to the Clinton and Kalamazoo canal," and the "resolution relative to the southern railroad," in which amendments the concurrence of the House of Representatives is respectfully requested. I also herewith return without amendment,

the "resolution relative to the Havre branch railroad," and "a joint resolution giving certain instructions to the board of commissioners of internal improvement." I also herewith transmit a bill, which has passed the Senate, entitled, "A bill authorizing a loan of a sum not exceeding twenty-five thousand dollars, for the benefit of the Detroit and Shiawassee railroad company," in which the concurrence of the House of Representatives is respectfully requested.

The joint resolutions returned from the Senate, entitled "resolution relative to the Clinton and Kalamazoo canal," and "a resolution relative to the southern railroad," with amendments, were taken up, and the amendments severally concurred; in said resolutions as amended then passed.

The bill from the Senate, entitled "A bill authorizing a loan of a sum not exceeding twenty-five thousand dollars for the benefit of the Detroit and Shiawassee railroad company," was taken up, read a first and second time, when Mr. Buckbee moved to suspend the rule, it being a two-third vote, was decided by yeas and nays, in the negative, as follows:

YEAS.

Mr. Adams,	Mr. Gantt,	Mr. Spafford,
Mr. Ball,	Mr. Lane,	Mr. Sheldon,
Mr. Beaufait,	Mr. Levake,	Mr. J. R. Smith,
Mr. Buckbee,	Mr. Montgomery,	Mr. Wixom,
Mr. Champlin,	Mr. Pray,	Mr. Williams,
Mr. Doty,	Mr. Poucher,	Mr. Speaker,
Mr. Decker,	Mr. Risdon,	

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NAYS.

Mr. Butler,	Mr. J. Howard,	Mr. Moran,
Mr. Cook,	Mr. Kent,	Mr. Odell,
Mr. Charter,	Mr. King,	Mr. Thompson,
Mr. Draper,	Mr. Lacey,	Mr. Wakefield,
Mr. Goodman,	Mr. McClelland,	Mr. Wadhams,
Mr. J. M. Howard,		

16

The House then took up for consideration, the resolution from the Senate, proposing certain amendments to the constitution of this state.

Mr. Wakefield moved the indefinite postponement of said reso

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lution, which was decided by yeas and nays, in the negative, as follows :

YEAS.

Mr. Ball,	Mr. Doty,	Mr. Poucher,
Mr. Burke,	Mr. Decker,	Mr. H. Smith,
Mr. Beaufait,	Mr. King,	Mr. Wakefield,
Mr. Buckbee,	Mr. Moran,	Mr. Wixom,
Mr. Champlin,	Mr. Pray,	Mr. Wadham,
Mr. Charter,		

16

NAYS.

Mr. Adams,	Mr. J. Howard,	Mr. Odell,
Mr. Butler,	Mr. Hotchkiss,	Mr. Risdon,
Mr. Cook,	Mr. Kent,	Mr. Spafford,
Mr. Draper,	Mr. Lacey,	Mr. Sheldon,
Mr. Goodman,	Mr. Lane,	Mr. J. R. Smith,
Mr. Gidley,	Mr. Levake,	Mr. Thompson,
Mr. Gantt,	Mr. McClelland,	Mr. Williams,
Mr. J. M. Howard,	Mr. Montgomery,	Mr. Speaker, 24

Said resolution then passed, by yeas and nays, as follows :

YEAS.

Mr. Adams,	Mr. Hotchkiss,	Mr. Risdon,
Mr. Butler,	Mr. Kent,	Mr. Spafford,
Mr. Cook,	Mr. Lacey,	Mr. Sheldon,
Mr. Draper,	Mr. Lane,	Mr. J. R. Smith,
Mr. Goodman,	Mr. Levake,	Mr. Thompson,
Mr. Gidley,	Mr. McClelland,	Mr. Vickery,
Mr. Gantt,	Mr. Montgomery,	Mr. Williams,
Mr. J. M. Howard,	Mr. Odell,	Mr. Speaker,
Mr. J. Howard,		

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NAYS.

Mr. Ball,	Mr. Doty,	Mr. Poucher,
Mr. Burke,	Mr. Decker,	Mr. H. Smith,
Mr. Beaufait,	Mr. King,	Mr. Wakefield,
Mr. Buckbee,	Mr. Moran,	Mr. Wixom,
Mr. Champlin,	Mr. Pray,	Mr. Wadham,
Mr. Charter,		

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The Chair announced the following message from the Executive :

To the House of Representatives :

I have this day approved and filed in the office of the Secretary

of State, the following acts, viz : "An act to extend the time for the construction and completion of the Detroit and Maumee railroad," "An act to provide for the distribution and sale of the laws," "An act requiring certain moneys to be paid into the state treasury," "An act to incorporate the Detroit house carpenters and joiners' mutual benefit society," "An act in relation to supervisors," "An act further to provide for proceedings in chancery in certain cases," "An act to extend the time of payment of the university and school moneys, and for other purposes," "An act to provide for a change of location in the Lapeer road, in the township Orion, in the county of Oakland," "An act to amend an act entitled "An act to incorporate the Detroit and Shiawassee railroad company."

STEVENS T. MASON.

April 6, 1838.

The Chair announced a message from the Senate, in the words following :

Mr. SPEAKER—In pursuance of the rules of the Senate, I here-with transmit a bill, which has passed the Senate, entitled "A bill to amend an act entitled 'An act for the regulation of internal improvement, and for the appointment of a board of commissioners,'" in which the concurrence of the House of Representatives is respectfully requested.

The bill transmitted from the Senate, entitled as above, was taken up, read a first and second times, when the rule having been suspended, said bill was taken up for consideration.

On motion of Mr. Butler, said bill was amended by filling blank in first section with the words "four hundred."

On motion of Mr. J. Howard, said bill was amended in section two, line five, by striking out "two thousand dollars" and inserting "five thousand dollars."

Said bill as amended then passed.

The Chair announced a message from the Executive in the words following :

To the House of Representatives:

I transmit to the House of Representatives the accompanying reports of the Treasurer of the state, embracing the information re-

quired by their resolution of the fourth instant. It will be seen that one hundred and fifty thousand dollars has been advanced on the million of bonds in the hands of Messrs. Prime, Ward and King of New York. I am also advised, that I shall be enabled to draw from three to four hundred thousand dollars in the course of sixty days. As Messrs. Prime, Ward and King are acting only as agents of the state, the balance of the loan will be received in such funds as they may receive on the continent of Europe, and will remain subject to the order of the proper authorities here. The one hundred and fifty thousand dollars paid by Mr. Delafield, being an advance on account of the loan, was received in New York funds, and has been sold as appears by the statement of the Treasurer, at a premium of six per cent. The whole amount received is deposited in the Michigan state bank.

STEVENS T. MASON.

April 6, 1838.

The statements from the State Treasurer, accompanying the above message, were ordered to be published in the state paper.

[See Document No. 53.]

The Chair announced a message from the Senate in the words following :

Mr. SPEAKER—In pursuance of the rules of the Senate, I herewith return without amendment, the bill entitled “A bill to amend an act entitled ‘An act to incorporate the city of Monroe,’” and “A joint resolution relative to a distributing post-office in the city of Detroit, during the summer season.” I also herewith transmit bills, which have passed the Senate, entitled “A bill to provide for the election of senators in the several districts of Michigan,” “A bill to expedite the construction of the Detroit and Maumee railroad, and for other purposes,” and “A bill to provide for the relief of Henry J. Smith, and to provide for the collection of state taxes in the township of Owasso, in Shiawassee county, for the year eighteen hundred and thirty-seven,” in which bills the concurrence of the House of Representatives is respectfully requested.

The bill from the Senate, entitled “A bill to provide for the election of senators in the several districts of Michigan,” was taken

top, read a first and second time, when, the rule having been suspended, said bill was read a third time and passed.

The bill from the Senate entitled "A bill for the relief of Henry J. Smith, and to provide for the collection of state taxes in the township of Owasso in Shiawassee county, for the year eighteen hundred and thirty-seven," was taken up, read a first and second times when, the rule having been suspended, said bill was taken up for consideration.

On motion of Mr. Risdon said bill was amended by striking out "November" and inserting "September."

On motion of Mr. J. R. Smith, said bill was further amended by inserting after "Smith," wherever it occurs, "or his successor in office."

Said bill as amended was then read a third time and passed.

The question being "would the House consider the bill from the Senate, entitled "A bill to expedite the construction of the Detroit and Maumee railroad, and for other purposes," it was decided in the negative.

A communication was announced from the Senate, informing the House that the Senate were now ready to meet the House in joint convention to receive the nominations of the Executive, for commissioners to assess certain damages.

JOINT ASSEMBLY.

The Hon. the Senate having been conducted to their seats, Mr. Bradford, (of the Senate) moved that a committee of two be appointed to wait upon the Governor and inform him that the two houses had met in joint assembly and were ready to receive any nominations he might see fit to make; whereupon, the Speaker of the House announced Mr. Bradford, on the part of the Senate and Mr. Cook on the part of the House, as said committee, who immediately returned and informed the convention that the Governor would nominate forthwith.

The following message was received from the Executive, through C. C. Jackson, Esq. his private secretary.

To the Senate and House of Representatives:

I hereby nominate Oliver Kellogg of Washtenaw, Ephraim Calkins of Macomb, and Jacob W. Alexander of Monroe, to be commissioners under the "Act to provide for the more speedy ad-

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justment of damages consequent upon the location of the central railroad through the land of Conrad Ten Eyck and others."

STEVENS T. MASON.

April 6, 1838.

Mr. McClelland, of the House, moved that the nominations be considered separately, which was decided in the affirmative.

The question being upon advising and consenting to the nomination of Oliver Kellogg, it was decided in the affirmative.

The question being upon advising and consenting to the nomination of Ephraim Calkins, it was decided in the affirmative.

The question being upon advising and consenting to the nomination of Jacob W. Alexander, it was decided in the affirmative.

On motion of Mr. Clark of the Senate, the convention adjourned.

HOUSE OF REPRESENTATIVES.

Mr. Buel, from the committee on the judiciary, to whom was referred, a bill entitled "A bill to give immediate effect to certain parts of the revised statutes," reported the same to the House without amendment; when the question being "would the House take up said bill for consideration," it was decided in the negative, by yeas and nays, as follows:

YEAS.

Mr. Adams,	Mr. McClelland,	Mr. Wakefield,
Mr. Decker,	Mr. Montgomery,	Mr. Wixom,
Mr. Gantt,	Mr. Risdon,	Mr. Wadham,
Mr. Lane,	Mr. H. Smith,	Mr. Speaker,
Mr. Levake,	Mr. Thompson,	

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NAYS.

Mr. Ball,	Mr. Doty,	Mr. Lacey,
Mr. Burke,	Mr. Draper,	Mr. Moran,
Mr. Buel,	Mr. Goodman,	Mr. Odell,
Mr. Beaufait,	Mr. Gidley,	Mr. Pray,
Mr. Butler,	Mr. J. M. Howard,	Mr. Poucher,
Mr. Buckbee,	Mr. J. Howard,	Mr. Spafford,
Mr. Champlin,	Mr. Hotchkiss,	Mr. Sheldon,
Mr. Cook,	Mr. Kent,	Mr. J. R. Smith,
Mr. Charter,	Mr. King,	Mr. Williams,

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Mr. Risdon then moved that the House take up bill fifty-eight, entitled "A bill suspending for a limited time certain provisions of

law, and for other purposes," which was decided by yeas and nays, in the negative, as follows:

YEAS.

Mr. Burke,	Mr. J. Howard,	Mr. Risdon,
Mr. Champlin,	Mr. Kent,	Mr. H. Smith,
Mr. Cook,	Mr. King,	Mr. Spafford,
Mr. Draper,	Mr. Lacey,	Mr. Sheldon,
Mr. Goodman,	Mr. Lane,	Mr. Thompson,
Mr. Gidley,	Mr. McClelland,	Mr. Williams,
Mr. J. M. Howard,	Mr. Moran,	

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NAYS.

Mr. Adams,	Mr. Doty,	Mr. Poucher,
Mr. Ball,	Mr. Decker,	Mr. J. R. Smith,
Mr. Buel,	Mr. Gantt,	Mr. Spafford,
Mr. Beaufait,	Mr. Hotchkiss,	Mr. Wakefield,
Mr. Butler,	Mr. Levake,	Mr. Wixom,
Mr. Buckbee,	Mr. Montgomery,	Mr. Wadham,
Mr. Charter,	Mr. Pray,	Mr. Speaker, 21

On motion, the House took a recess of thirty minutes.

The Chair announced a communication from the bank commissioners, which was ordered to be published in the Free Press and Daily Advertiser.

The Chair announced the following communication from the Executive :

To the House of Representatives:

I have this day approved and filed in the office of the Secretary of State, the following acts, viz : "An act authorizing a loan of a sum of money not exceeding one hundred thousand dollars for the benefit of the Ypsilanti and Tecumseh railroad company," "An act to authorize the supervisors of the county of Kalamazoo to borrow a certain sum of money to complete their court-house and construct a jail," "An act to provide for the adjustment of claims on the division of townships," "A resolution relative to the printing of the journals of the legislature," "A resolution relative to the publication of the laws of the present session."

STEVENS T. MASON.

April 6, 1838.

The House then took up the bill entitled "A bill to expedite the construction of the Detroit and Maumee railroad, and for other purposes."

Mr. Wakefield moved to strike out all after the enacting clause, which was decided by yeas and nays, in the affirmative, as follows :

YEAS.

Mr. Burke,	Mr. J. M. Howard,	Mr. Spafford,
Mr. Beaufait,	Mr. J. Howard,	Mr. Thompson,
Mr. Butler,	Mr. Hotchkiss,	Mr. Vickery,
Mr. Champlin,	Mr. Kent,	Mr. Wakefield,
Mr. Doty,	Mr. King,	Mr. Wixom,
Mr. Decker,	Mr. Lacey,	Mr. Williams,
Mr. Gidley,	Mr. Odell,	Mr. Wadhams,
Mr. Gantt,	Mr. Poucher,	

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NAYS.

Mr. Ball,	Mr. Lane,	Mr. Risdon,
Mr. Bement,	Mr. Levake,	Mr. H. Smith,
Mr. Buel,	Mr. McClelland,	Mr. Sheldon,
Mr. Buckbee,	Mr. Moran,	Mr. J. R. Smith,
Mr. Cook,	Mr. Montgomery,	Mr. Speaker,
Mr. Goodman,		

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Mr. J. M. Howard, from the committee on enrolment, reported as correctly enrolled "An act to provide for the election of senators in the several senatorial districts of Michigan," and "A joint resolution relative to the southern railroad."

On motion of Mr. Ball,

Resolved, That the thanks of this House be unanimously presented to the Speaker thereof, for the able and impartial manner in which he has performed the duties of said office.

The Chair announced a message from the Senate, in the words following :

Mr. SPEAKER—In pursuance of the rules of the Senate, I here-with return to the House "A bill for the relief of the Bank of Adrian and the Lenawee county bank, which has passed the Senate without amendment."

The House then took a recess for thirty minutes.

Mr. J. M. Howard, from the committee on enrolment, reported as correctly enrolled "A joint resolution relative to the Havre branch railroad."

The Speaker announced a message from the Senate, in the words following :

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Mr. SPEAKER—In pursuance of the rules of the Senate, I here-with return the bill entitled “A bill making appropriations for the year one thousand eight hundred and thirty-eight, to defray the current expenses of the government, and for other purposes,” with certain amendments made to the fourth, fifth, eleventh, twenty-fourth, twenty-sixth, thirty-first, thirty-third, thirty-fourth, fortieth and fifty-second amendments made by the House of Representa-tives to said bill ; and am instructed to inform the House of Repre-sentatives that the Senate have non-concurred in the second, third, seventh, tenth, twelfth, fourteenth, fifteenth, sixteenth, seventeenth, nineteenth, twenty-second, twenty-third and thirty-sixth amen-ments, and have concurred in all the remaining amendments made to said bill by the House of Representatives.

The House then took up, as in committee of the whole, the bill returned from the Senate with amendments, entitled “A bill mak-ing appropriations in part for the year one thousand eight hundred and thirty-eight, to defray the current expenses of the government, and for other purposes,” when the several amendments were con-curred in, with the exception of the twelfth, which was insisted upon, and the fifty-fourth, which was amended.

Said bill as amended then passed.

The Chair announced the following communication from the Executive :

To the House of Representatives :

I have this day approved and signed the following bills :

Title eight, “Of the imprisonment of debtors and of the relief of imprisoned and insolvent debtors,” “An act for the relief of the Bank of Adrian and the Lenawee county bank,” “An act to amend an act entitled ‘An act to incorporate the city of Monroe,’ approved March 22, 1837,” “An act authorizing a loan of one hundred thousand dollars for the relief of the Allegan and Marshall railroad company,” “A joint resolution relative to the southern railroad,” “An act to provide for the election of senators in the several districts of Michigan,” “A joint resolution giving instructions to the board of commissioners of internal improvement,” “An act to in-corporate the village of Clinton.”

STEVENS T. MASON.

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The Chair announced a message from the Senate, in the words following :

Mr. SPEAKER—In pursuance of the rules of the Senate, I here-with return without amendment, the bill entitled “A bill to repeal the acts consolidated in the revised statutes.”

The Chair announced a message from the Senate, in the words following :

Mr. SPEAKER—In pursuance of the rules of the Senate, I here-with return a preamble and resolution, relative to the disputed ground, with amendments made thereto by the Senate ; I also here-with transmit resolutions which have passed the Senate, entitled “A resolution extending the time for printing of the revised statutes,” “A resolution relative to the annual report of the Auditor General,” “A resolution relative to the central railroad,” and “A resolution relative to the Palmyra and Jacksonburgh railroad company,” in which resolutions and amendments to the above bill the concurrence of the House of Representatives is respectfully re-quested.

The preamble and resolution, returned from the Senate with amendments, relative to the disputed ground, was taken up and the amendments concurred in.

Said resolution, as amended, then passed.

The joint resolution from the Senate, entitled “A resolution ex-tending the time for printing the revised statutes,” and “A resolu-tion relative to the annual report of the Auditor General,” and “A resolution relative to the Palmyra and Jacksonburgh railroad company,” were taken up, read a first and second times, when the rule having been suspended, said resolution was read a third time and passed.

The joint resolution from the Senate, entitled “ Resolution rela-tive to the central railroad,” was taken up, read a first and second times, when, the question being upon suspending the rule, it was decided, by yeas and nays, in the negative, as follows :

YEAS.

Mr. J. Howard,
Mr. King,

Mr. Spafford,
Mr. Wakefield,

Mr. Williams,

[April 6.

NAYS.

Mr. Burke,	Mr. J. M. Howard,	Mr. Risdon,
Mr. Bement,	Mr. Hotchkiss,	Mr. Sheldon,
Mr. Buel,	Mr. Lacey,	Mr. J. R. Smith,
Mr. Butler,	Mr. Lane,	Mr. Thompson,
Mr. Champlin,	Mr. McClelland,	Mr. Wixom,
Mr. Cook,	Mr. Montgomery,	Mr. Wadham,
Mr. Goodman,	Mr. Odell,	Mr. Speaker,
Mr. Gidley,	Mr. Poucher,	

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On motion, the House took a recess for thirty minutes.

The Chair announced the following message from the Executive:

To the House of Representatives :

From the late hour of the session, I have returned without signature, and for further consideration, "A resolution relative to suspending operations on the Havre branch railroad," and an act supplementary to an act entitled "An act to amend an act entitled 'An act to organize banking associations,' and for other purposes." I state this fact, that the legislature, if it is thought important, may assert their constitutional prerogative and pass both the resolution and the bill into laws.

STEVENS T. MASON.

April 6, 1838.

The Chair announced a message from the Senate, in the words following:

MR. SPEAKER—In pursuance of the rules of the Senate, I herewith return the bill entitled "A bill to create a board of commissioners of loans," with sundry amendments make thereto by the Senate, in which the concurrence of the House of Representatives is respectfully requested: I also herewith return without amendment, the resolution relative to supplying members of the present legislature with copies of the revised statutes.

Mr. Wakefield moved that the consideration of the bill, returned from the Senate, entitled as above, be indefinitely postponed, which was decided by yeas and nays, as follows:

YEAS.

Mr. Buel,	Mr. Kent,	Mr. Sheldon,
Mr. Beaufait,	Mr. King,	Mr. Thompson,
Mr. Butler,	Mr. Lacey,	Mr. Wakefield,

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Mr. Buckbee,	Mr. McClelland,	Mr. Wadham,	
Mr. Draper,	Mr. Poucher,	Mr. Speaker,	
Mr. Hotchkiss,	Mr. H. Smith,		17

NAYS.

Mr. Ball,	Mr. J. M. Howard,	Mr. Risdon,	
Mr. Cook,	Mr. J. Howard,	Mr. J. R. Smith,	
Mr. Goodman,	Mr. Montgomery,	Mr. Williams,	
Mr. Gaunt,	Mr. Odell,		11

The following message was received from the Executive through Samuel H. Porter, Esq :

To the House of Representatives :

I have this day approved and signed the following bills and resolutions : "A resolution proposing certain amendments to the constitution of the state," "An act to provide for the payment of certain claims therein named," "An act for the relief of Henry J. Smith, and to provide for the payment of state taxes in the township of Owasso, in Shiawassee county, for the year one thousand eight hundred and thirty-seven," "An act to amend an act entitled 'An act for the regulation of internal improvements and for the appointment of a board of commissioners,'" title seven, "Of the limitation of actions," "A resolution relative to the Palmyra and Jacksonburgh railroad company," "An act extending the time for the printing of the revised statutes," "Preamble and resolution relative to the disputed ground," "A resolution relative to the annual report of the Auditor General," "A joint resolution relative to the revised statutes," "An act comprising six, seven and eight of the revised statutes," "An act making appropriations for the year one thousand eight hundred and thirty-eight, to defray the current expenses of government, and for other purposes," "An act to repeal the acts consolidated in the revised statutes."

STEVENS T. MASON.

April 6, 1838.

Mr. Buel moved that a committee of two be appointed on the part of the House, to join a committee of two on the part of the Senate, to wait upon the Executive to ascertain if he had any further communication to make to the legislature during the present session, which was decided in the affirmative.

[April 6.

Whereupon the Chair announced Messrs. Buel and J. M. Howard, as said committee, who immediately returned and reported that they had discharged the duty assigned them, and received for answer that the Governor had no further communication to make to this House at its present session.

The Speaker then adjourned the House *sine die*.

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